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A T E X T - B O O K
OF
C H U R C H H I S T O R Y.

BY DR. JOHN C. L. GIESELER.

Translated from the Fourth Revised German Edition,

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AND
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P R E F A C E.

THE sixteen years which have elapsed since the appearance of the Third Edition of the volume here presented to the public, have been so uncommonly rich in the production of materials, and in encouragement to further researches into this very period, that a new and thoroughly revised edition may well be expected from me. Traces will every where be found, that the volume here presented has undergone such revision. Though the increase in the number of sheets is comparatively insignificant (this edition is only two sheets larger than the former), yet I have labored to find place for new matter, by curtailing, and by omitting much that was superfluous, particularly in the quotations. Two new paragraphs are added, § 81. on Art employed in the service of the Church, and § 82. on the Kalend-guilds. While I mention the latter, I can not forbear from expressing my surprise that, although in an altered form they are still so often met with in Northern Germany, they have never yet been made the subject of any general historical description, entering into their origin and their character; great as is the number of accounts of separate Kalend-guilds, which are mostly occupied with their external history.

The last thirty years constitute a period richer in historic lore than any that has ever yet been. A vast number of sources of history have been drawn forth from concealment, or issued in a more correct form. Countless treatises have thrown a new light on dark questions. Upon almost all portions of history we have received works which are remarkable for thorough investigation, views full of genius, or attractive modes of representation. If this period of scientific activity in the cause of history seems now to be brought to a close, the question arises, whether the reason lies only in outward circumstances, or also in the fact, that the inter-

est felt among our people in history has been weakened by the powerful agitations of this year. It is an unmistakable truth, that a portion of the men of the day, who have taken the most active part in the late agitations, appear to have broken away from history altogether, and to wish to shut their eyes to any development connecting present events with the history of the past. Just as though all that has been hitherto established had forfeited its claim to endure; as though their object were now to build anew from the foundation, upon ground completely leveled, without any regard to the buildings which stood there before. In all history, the history of the French Revolution alone seems to be recognized by them as their guide from step to step in their career.

However, the impulse of a small party must not be mistaken for the actual opinion of the German nation, though every artifice be tried to represent it as such. No German race desires to break entirely with its history. Great indeed would be the misfortune if a party were to succeed in interrupting the natural development of events by an arbitrary constitution. It would stand without root in the people. The handiwork of one party would quickly be dislodged by that of another; and Germany would be plunged into a whirlpool of change, continually stirring up the very depths of society.

This is true in a political, true also in an ecclesiastical point of view. But artificial creation in the room of natural development is even more dangerous on ecclesiastical than on political ground, because Church interests are bound up in a closer reciprocal relation with the inmost feelings of the people, its religion, and its morality. For this reason it appears to me of yet higher importance, that here there should be no precipitation; that even necessary alterations in the constitution of the Church should be delayed, until the political balance of the country be more firmly established, and, in consequence, men's minds again recovered to a calmer and more collected state.

We can not overlook the fact, that the existing ecclesiastical antagonisms, the palæologian as well as the neologian, have grown up in open warfare with the old State: that for this very reason the political parties, because they could not otherwise be brought into operation, have repeatedly taken refuge in the religious; and that,

in consequence, these Church parties also have imbibed peculiar ingredients, which may well unfit them for unbiased deliberations, aiming only to advance the interests of the Church; these, however, must gradually vanish, so soon as their opposition to the State disappears, and the purely political opposition, which has now obtained a free platform of its own, is withdrawn from the ecclesiastical sphere.

Besides, the truth should not be disguised that times of agitation, in which ideas of a thousand different shapes are cast into the midst of the ecclesiastical community, but have hardly yet been clearly weighed as to their reasons, or their nature and value; times, in which the people have indeed arrived at some feeling of their want, but not at its clear recognition or true expression, and in which parties are seeking to make out that their own struggles are the people's will: that such times are not adapted to great mixed assemblages, in which deeply penetrating alterations in ecclesiastical institutions and relations should be brought under deliberation: For ecclesiastical deliberations require, above all others, calm and dispassionate thoughtfulness: it is equally disadvantageous, when, on such occasions, party determinations are passed into law by agitation or by talent, as when an impracticable *juste milieu* is attained by means of reciprocal limitations and concessions.

But in all such deliberations and determinations soon to be expected, history must not be disregarded as a teacher and guide. She completes the short experience of life in the individual; she displays the development of events down to the present time; she points out the effects of true and false attempts to modify these developments; she teaches how to distinguish the natural growth from the artificial creation; in fine, she furnishes courage and hope in adversity, foresight and lowliness in prosperity. And all this is necessary for us, for the knot in our development at which we have arrived, holds the most various threads twisted together. May the good unite to form a fair and enduring texture, and the bad be consigned to History, and therein to condemnation.

DR. GIESELER.

GÖTTINGEN, 18th November, 1848.

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CHURCH HISTORY.

THIRD PERIOD.

FROM THE BEGINNING OF THE CONTROVERSY CONCERNING THE WORSHIP OF IMAGES TO THE REFORMATION. FROM A.D. 726-1517.

FOR THE GENERAL LITERATURE OF THE MIDDLE AGES, SEE THE LITERATURE PREFIXED TO THE SECOND PERIOD.

FIRST DIVISION.

TO THE TIME OF NICOLAUS I. OR TO THE APPEARANCE OF THE PSEUDO-ISIDORIAN DECRETALS. FROM 726-858.

FIRST PART.

HISTORY OF THE GREEK CHURCH.

Sources are, the Byzantines: Nicephorus (patriarch of Constantinople, † 829) till 769, Theophanes († 817) till 813, and his continuator, Constantinus Porphyrogeneta († 959), Joseph Genesius about 940 (A.D. 813-867), Georgius Monachus (till 959), Simeon Logotheta (till 967), Leo Grammaticus (till 1013). From these Georgius Cedrenus (1057), Joh. Zonaras (1118), and Michael Glykas (1450?) have drawn their histories.

§ 1.

CONTROVERSY CONCERNING IMAGE-WORSHIP.

Imperialia de cœlo imaginum in utroque imperio promulgata, collecta et illustrata a Melch. Haiminsfeldio Goldasto. Francof. 1608. 8. Jo. Dallaeus de Imaginibus. Lugd. Bat. 1642. 8. Lud. Maimbourg. Hist. de l'heresie des iconoclastes. Paris, 1679, 8. 3. 2 voll. 12. Frid. Spanhemii Historia imaginum restituta. Lugd. Bat. 1686. 8 (recus. in ejusd. Opp. t. ii. p. 707). Walch's Ketzerhistorie, Th. 10 u. 11. Neander's K. G. iii. 398. Gfrörer's K. G. iii. 1, 97. F. Ch. Schlosser's Geschichte der bilderstürmenden Kaiser des ostromischen Reichs. Francf. a. M. 1812. 8. The Roman Catholic point of view is maintained by J. Marr, der Bilderstreit der Byzant. Kaiser. Trier, 1839. 8.

THE worship of images had long assumed a very unchristian form,¹ when *Leo III. Isauricus* (716-741), an intelligent and

¹ Comp. § 99. Even the author of the oratio adv. Constantium Cabalinum, a fanatical image-worshiper of the 8th century, knew of no other reply, c. 13, to the objection of oppo-

powerful prince, became opposed to it,² but in what way is uncertain.³ At first he was satisfied with a simple prohibition (726), but afterward he commanded the pictures themselves to be taken away (730).⁴ The measure was enforced by the removal of *Germanus*,⁵ patriarch of Constantinople, who opposed him, in whose place was put the pliant *Anastasius*; and by the vigorous suppression of some tumultuous movements.⁶ He was obliged to allow his measures to be blamed with impunity only in Rome, which refused obedience to him,⁷ and in the east,

nents: ἡ γενεὰ αὐτη ἐθεοποίησεν τὰς εἰκόνας than διδάξαι τὸν ἀγράμματον λαόν. Cf. Joannis Damasc. Opp. ed. Le Quien, i. 621 and 622.

² Attempts at explanation may be found in Walch, x. 202. Schlosser, S. 161. Deserving of attention is Theophanes ad. ann. vi. Leonis, p. 336: Τούτῳ τῷ ἔτει ἡνάγκαζεν ὁ βασιλεὺς τοὺς Ἐβραιοὺς καὶ τοὺς Μοντανὸὺς βαπτίζεσθαι, and then ad. ann. vii. follow the first declarations against images in which the renegade Beser, and Constantine bishop of Nakolia, were principal assistants of the emperor. In the Synodicon vet. c. 138 (in Fabricii Bibl. graec. xi. 248) Leo is said: Τῇ πλάνῃ Κωνσταντίνου ἐπισκόπου Νακωλείας, καὶ Βίσηρο Πατρικίου σαρακηνόφρονος τῶν αἰρεσιαρχῶν χραινόμενος. It is worthy of remark that Leo considered the ravages of volcano that arose in the Cretan sea as a punishment for the worship of images. Nicephori Breviar. p. 37: Ὡς ἐκ τῶν εἰκονιστῶν ἰδρύσεώς τε καὶ προσκυνήσεως γεγονέναι οὔλομενος τὸ τεράστιον. Cf. Theophanes, p. 339.

³ The emperor's own explanations in a letter to Gregory II. bishop of Rome, cf. Gregorii Epist. i. ad Leonem. ap. Mansi, xii. 959: Αἱ εἰκόνες εἰδώλων τόπον ἀναπληροῦσι —οἱ προσκυνοῦντες αὐτὰς εἰδωλολάτραι —οὐ δεῖ προσκυνεῖν χειροποίητα, καὶ πᾶν εἰδός καθ' ὅμοιωμα, καθὼς εἴπεν ὁ θεὸς, μήτε ἐν οὐρανῷ, μήτε ἐπὶ τῆς γῆς (Exod. xx. 4).— πληροφόρησόν με τις ἡμῖν παρέδωκε σέβεσθαι καὶ προσκυνεῖν χειροποίητα· καγύ ὄμολογῷ, ὅτι θεῷ νομοθεσία ἔστι.

⁴ Comp. especially Theophanes, p. 336, 343. Nicephorus, p. 37, 38.

⁵ Subservient as he had shown himself under Philippicus in acknowledging the Monothelite doctrines, and afterward renouncing them (Theophanes, p. 320. Nicephorus, p. 31. Walch's Ketzergesch. ix. 466), he was now immovable in favor of images. Three letters of his are in the Actis Concil. Nicaeni ii. Actio iv. ap. Mansi, xiii. 99. The third ad Thomam Episc. Claudeopoleos is a long defense in favor of the use of pictures. In p. 125 he dwells particularly on the miracles wrought by them, among which the greatest in his view was ἡ ἐν Σωζόπολει τῆς Πισιδίας τὸ πρὶν ὑπάρχονσα εἰκὼν τῆς παναχράντου θεοτόκου, ἐκ τῆς γεγραμμένης παλάμης αὐτῆς τὴν τὸν μύρον βλίσσιν προχέονσα. Also in his lib. de synodis et haeresibus he speaks in brief terms respecting the image controversy, in the Spicilegium Romanum t. vii. (Romae. 1842. 8) i. 59. Here the only thing he maintains against the opponents of images is: Εἰ, ὡς φατὲ ὑμεῖς, εἰδώλων δίκην τὰ σεπτὰ τῶν ἀγίων ἀπέιρετε εἰκονίσματα, μικροῦ καὶ αὐτὰ τὰ καίρια τῆς πιστεως ἀνατρέπετε — οὐδὲν ἀπὸ τοῦ νῦν βεβαιόν τι ἡ τῆς ἐκκλησίας ἡμῶν παράδοσις ἔξειν δυνήσεται, τὰ πρὶν ἀθετήσασα.

⁶ Namely the revolt in Greece and the Cyclades (Theophanes, p. 339. Nicephorus, p. 37) and the rebellion in Constantinople at the taking down of the crucifix (called ὁ Ἀντι φωνητής) ἐν τοῖς Χαλκοπρατείοις, Gregor. II. Ep. i. ad Leonem ap. Mansi, xii. 969; Theophanes, 339 (who calls it τὴν τοῦ Κυρίου εἰκόνα τὴν ἐπὶ τῆς χαλκῆς πύλης), comp. Walch, x. 178. Schlosser, S. 177.

⁷ Gregorii Epistolae 2 ad Leonem Imp. (note 726, but written after 730. Walch, x. 173) in the Actis Concil. Nicaeni ii. ap. Mansi, xii. 959. On the ignorance and indecency in them see Bower's Lives of the Popes, iv. 365. Walch, xi. 271, ex. gr. p. 966: Καὶ τὰ μι-

which was now subject to the Saracens;⁸ but in his own empire the friends of images (*εἰκονολάτραι*, *ξυλολάτραι*, *εἰδωλολάτραι*) were soon compelled to conceal themselves, and the fanatics who resisted the imperial power had to repent bitterly of their opposition. Other superstitions also were threatened by a more enlightened party, *the opponents of images* (*εἰκονομάχοι*, *εἰκονοκλάσται*, *εἰκονοκαύσται*, *χριστιανοκατήγοροι*);⁹ but

κρὰ παιδία καταπαῖσον σον· γύρωσον εἰς τὰς διατριβὰς τῶν στοιχείων, καὶ εἰπέ· ὅτι ἔγω είμι ὁ καταλύτης καὶ διώκτης καὶ πινακίδας αὐτῶν εἰς τὴν κεφαλήν σου ρίψοντοι, καὶ ὅπερ οὐκ ἐπαιδεύθης ὑπὸ τῶν φρονίμων, παιδευθῆσῃ ὑπὸ τῶν ἀφρόνων. "Ἐγραφας, ὅτι Ὁζίας ὁ βασιλεὺς τῶν Ἰουδαίων (rather Hezekiah, 2 Kings xviii. 4) μετὰ ὀκτακοσίους ἔνιαυτοὺς ἔξηγαγε τὸν χαλκοῦν ὄφιν ἐκ τοῦ ναοῦ, καγὼ μετὰ ὀκτακοσίους ἔνιαυτοὺς ἔξηγαγον τὰ εἴδωλα ἐκ τῶν ἐκκλησιῶν. Ἀληθῶς καὶ Ὁζίας ἀδελφός σου ἦν, καὶ τὸ σὸν πεῖσμα εἶχε, καὶ τοὺς τότε ἵερεis ἐτυράννησεν ὥσπερ σύ (Uzziah, 2 Chron. xxvi. 16-18). ἐκεῖνον γάρ τὸν ὄφιν ὁ ἡγιασμένος Δαβὶδ εἰσῆγαγεν εἰς τὸν ναὸν μετὰ τῆς ἀγίας κιβωτοῦ.—P. 967: Συνέφερέ σοι, βασιλεῦ, τῶν δύο προκειμένων, αρετικόν σε ὄνομάζεσθαι, η διώκτην καὶ καταλυτὴν τῶν ἴστοριῶν καὶ ζωγραφιῶν τῶν εἰκόνων καὶ παθημάτων τοῦ κυρίου.

⁸ Johannis Damasceni λόγοι γ' ἀπολογητικοὶ πρὸς τοὺς διαβάλλοντας τὰς ἀγίας εἰκόνας, in Opp. ed. Le Quien. t. i. p. 305, ss.

⁹ Germanus Lib. de synodis et haeres. in Spicil. Rom. vii. i. 61: 'Απ' αὐτῆς τῆς βασιλείας καὶ πάντων τῶν ἐν ὑπεροχῇ κρατούντων τὰ πράγματα, ἐκματῆς ἀγανάκτησις τοῖς εὐλαβῶς διάγειν προαιρούμενοις ἐπινεόνται. Τοῦ γέ χάριν καὶ κίνδυνος οὐχ ὁ τυχῶν ἀλλὰ καὶ λίαν ὀλέθριος, πάσαν σχεδὸν τὴν οἰκουμένην ἐμπειρείληχε, πλείστων ἵερέων τε καὶ λαικῶν, περιστοτέρως δὲ τῶν τῷ μοναχικῷ ἀσκονέμένων τάγματι θεοσεβεστάτων ἀνδρῶν, μετανάστων τῶν οἰκείων γεγενημένων, καὶ ἐν ἔξοριᾳ καὶ γυμνητεύσει, μετὰ καὶ τῶν τοῦ σώματος μελῶν ἀφαρέσεως, εἰς διασπορὰν καὶ ἐρήμωσιν παραπεμφθέντων. Οὐ γάρ ἡρέσθησαν οἱ τὰ νῦν τοῦ κηρύγματος τὸν λόγον ἐπιδεικτικῶς ὑποφίανοντες τὴν τῶν σανίδων μόνον ἐκποιήσει τὰ τῶν ἀγίων πειραίρεθαι εἰκονίσματα, ἀλλὰ καὶ τὴν ἐν γραφίδι ἱεράμιλλον τούτοις κόσμησιν τῶν σεπτοτάτων νεῶν ὀλικῶς ἐξορύπτεσθαι· καὶ ἐμπαλιν τοῖς θεοῖς θυσιαστήριοις τὰ τῶν σεβασμίων καὶ ἵερῶν τραπεζώσεων συμβολικὰ ἐπενδύματα, ἐν χρυσῷ καὶ πορφύρᾳ συμποικιλθέντα, χύδην ἀπομορξάμενοι, ἐν τοῖς ἑαυτῶν οἴκοις ἀνέθεσαν, ὅτι καὶ χαρακτῆρες ἀγίων εὑρηνται ἴστορούμενοι. Πρὸς δὲ τούτοις καὶ τὸ πάσης ἀνοσιοργίας ἀνάμεστον δρᾶν οὐκ ἐνάκησαν· τὰ γάρ τῶν ιακαρίων καὶ ἀοιδίμων Μαρτύρων λειψάνα, ὑπὸ τῶν τῆς Ἐκκλησίας διδασκάλων συγκομισθέντα, καὶ ἐν τιμίοις κιβωρίοις σωρηδὸν ἐντεθέντα ἀπογυμνώσαντες, πυρὶ κατανάλωσαν, τὸ δόσον ἐπ' αὐτοῖς τοὺς διὰ πίστιν ἥθληκότας καταπατῆσαι καὶ ἀτιμάσαι σπουδάσαντες. Holy vessels furnished with images and clothes can not have been taken away in consequence of general measures, but only occasionally by zealous enemies to images; for the Conc. Constant. of 754 forbids such things, καθὼς τουαῦτα ὑπὸ τινῶν ἀτάκτως φερομένων προγέγονεν (Mansi, xiii. 332). How far the fanaticism of individual foes to pictures had proceeded may be seen from the fact, that at this synod, even a bishop was accused (vita Stephani, jun. in Analecta Graeca, ed. Mon. Bened. Congr. S. Mauri. Paris. 1688. 4. i. 480), ὃς ὅτι ἀγίον δίσκον τῶν ἀχράντων τοῦ θεοῦ μνηστηρίων κατεπάτησεν, διότι περ ἐκτετύπωτο εἰκόνας σεπτᾶς τοῦ τε Χριστοῦ καὶ τῆς αὐτοῦ μητρὸς καὶ τοῦ προδρόμου. So also relics may have been attacked by individuals, but certainly very rarely, because traces of it must have been found in the polemics of the period. The tendency, it is true, of the enemies of images must have turned itself also in consistent development against relic and saint worship, and several may have even proceeded so far as to reject and renounce it. But the party, on the whole, dependent on the imperial will, did not go so far, without doubt having a regard to the general, popular disposition. It even expressly warded off from itself the suspicion of wishing to attack the worship of saints,

since it was not created by a religious feeling, but merely by the emperor's will, this party fostered a superficial free-thinking, rather than a beneficial reformatory tendency. The measures taken against images were also honestly prosecuted by Constantine Copronymus (741-775), equally honored by his subjects as a prince, and beloved by his soldiers as a general. After Artabasdos, who had endeavored to procure more adherents to his cause by favoring image-worship had been conquered (741-743),¹⁰ and while this practice was constantly assuming a more fanatical character, especially among the monks, the emperor procured its solemn rejection, by calling a general council at Constantinople (754),¹¹ though the decrees of this council

Conc. Const. ann. 754, Anath. ix. and xi., see note 11 at the end. It is therefore a very exaggerated statement, when Theophanes, p. 340, says of Leo: Οὐ μόνον γὰρ περὶ τὴν σχετικὴν τῶν σεπτῶν εἰκόνων ὁ δυσσεβῆς ἐσφάλλετο προσκύνησιν, ἀλλὰ καὶ περὶ τῶν πρεσβειῶν τῆς πανάγιον θεοτόκου, καὶ πάντων τῶν ἀγίων· καὶ τὰ λείφανα αὐτῶν ὁ παμμαρος, ὃς οἱ διδάσκαλοι αὐτοῦ Ἀραβεζ, ἔβδελύπτετο. The persecutions also of the opponents of images have been greatly exaggerated by later historians, see Walch, x. 286.

¹⁰ Theophanes, p. 347, ss.

¹¹ The ὄρος of this council in the Acta Concilii Nic. ii. ap. Mansi, xiii. 205, ss.; cf. p. 216: Ἐπέστησεν ἡμᾶς (I. X.) ἐκ τῆς φθοροποιοῦ τῶν δαιμόνων διδασκαλίας ἡτοι τῆς τῶν εἰδώλων πλάνης τε καὶ λατρείας καὶ τὴν ἐν πνεύματι καὶ ἀληθείᾳ προσκύνησιν παραδέδωκεν. P. 221: Παλιν δὲ—ο τῆς κακίας δημιουργὸς οὐκ ἡπόρησε κατὰ διαφόρους καιρούς τε καὶ τρόπους πονηρᾶς ἐπινοίας, ὥστε ὑπὸ χείρα δι' ἀπάτης ἑαντῷ ποιῆσαι τὸ ἀνθρώπινον· ἀλλ᾽ ἐν προσχήματι Χριστιανισμοῦ τὴν εἰδωλολατρείαν κατὰ τὸ λεληθὸς ἐπανήγαγε, πείσας τοῖς ἴδιοις σοφίσμασι τοὺς πρὸς αὐτὸν ὄρωντας μὴ ἀποστῆναι τῆς κτίσεως, ἀλλὰ ταύτην προσκυνεῖν καὶ ταύτην σέβεσθαι, καὶ θεὸν τὸ ποίημα οἰεσθαι τῇ τοῦ Χριστοῦ κλήσει ἐπονομαζόμενον. P. 225: Διὸ δὴ καθός πάλαι ὅ τῆς σωτηρίας ἡμῶν ἀρχήγος καὶ τελειωτῆς Ἱησοῦς τοὺς ἑαντοῦ πανσόφους μαθητὰς καὶ ἀποστόλους τῇ τοῦ παναγεσταῦ πνεύματος δυνάμει ἐπὶ ἐκμειωσεὶ τῶν τοιούτων κατὰ παντὸς ἔξαπέστειλεν, οὕτως καὶ νῦν τοὺς αὐτοῦ θεράποντας, καὶ τῶν ἀποστόλων ἐφαμίλλους, πιστοὺς ἡμῶν βασιλεῖς ἔχανεστησε, τῇ τοῦ αὐτοῦ πνεύματος σοφισθέντας δυνάμει, πρὸς καταρτισμὸν μὲν ἡμῶν καὶ διδασκαλίαν, καθαίρεστιν δὲ δαιμονικῶν ὀχυρωμάτων ἐπαιρομένων κατὰ τῆς γνώσεως τοῦ θεοῦ, καὶ ἐλεγχεῖν διαβολικῆς μεθοδείας καὶ πλάνης. P. 251: That they who painted pictures of Christ fell either into the Eutychian, or, p. 255, into the Nestorian heresy. P. 324: Ὁμοφώνως δρίζομεν, ἀπόβλητον εἶναι καὶ ἀλλοτρίαν καὶ ἔβδελυγμένην ἐκ τῆς τῶν Χριστιανῶν ἐκκλησίας πᾶσαν εἰκόνα ἐκ παντοίας ὑλῆς καὶ χρωματουργικῆς τῶν ζωγράφων κακοτεχνίας πεποιημένην'. P. 328: Μηκάτι τολμᾶν ἀνθρώπον τὸν οἰονδήποτε ἐπιτηδεύειν τὸ τοιούτον ἀσεβές καὶ ἀνόσιον ἐπιτήδευμα· ὃ δὲ τολμᾶν ἀπὸ τοῦ παρόντος κατασκευάσατε εἰκόνα, ἢ προσκυνῆσαι, ἢ στῆσαι ἐν ἐκκλησίᾳ ἢ ἐν ἰδιωτικῷ οἴκῳ, ἢ κρύψαι, εἰ μὲν ἐπίσκοπος ἢ πρεσβύτερος ἢ διάκονος εἰέναι, καθαίρεσθαι· εἰ δὲ μονάζων ἢ λαϊκὸς ἀναθεματιζέσθω, καὶ τοῖς βασιλικοῖς νόμοις ὑπεύθυνος ἔστω ὡς ἐναντίος τῶν θεοῦ προσταγμάτων, καὶ ἔχθρος τῶν πατρικῶν δογμάτων. Among the thirteen anathemas affixed are to be remarked ix. p. 345: Εἴ τις οὐχ ὁμολογεῖ τὴν ἀειπάρθενον Μαρίαν κυρίας καὶ ἀληθῶς θεοτόκου, ὑπερτέραν τε εἶναι πάσης δρατῆς καὶ ἀνόρτου κτίσεως, καὶ μετὰ εἰλικρινοῦς πίστεως τὰς αὐτῆς οὐκ ἔξαιτεται πρεσβείας ὡς παρῆστιν ἔχοντος πρὸς τὸν ἔξ αὐτῆς τεχθέντα θεὸν ἡμῶν, ἀναθεμα. x. p. 348: Εἴ τις οὐχ ὁμολογεῖ ἀπαντας τοὺς ἀπ' αἰῶνος καὶ μέχρι τοῦ νῦν ἀγίους, πρὸ νόμου, καὶ ἐν νόμῳ, καὶ ἐν χάριτι τῷ θεῷ, εὐαρεστήσαντας, τιμίους εἶναι ἐνώπιον αὐτοῦ ψυχῆς τε καὶ σώματι, καὶ τὰς τούτων οὐκ

were not admitted in the east,¹² and at Rome,¹³ And because the monasteries were the places of resort to which the picture-worshippers now fled, and which nourished their fanaticism that frequently broke forth into tumultuous resistance, severer measures against the monks followed, amounting in some provinces to absolute persecution.¹⁴ By this means Constantine has become the object of monkish abhorrence; and they have revenged themselves richly on him by historical misrepresentations.¹⁵

Under *Leo IV. Chazarus* (775–780), the laws against image-worship were still rigidly enforced. *Irene*, on the contrary, was friendly to it (780–802). At first, indeed, she was compelled to be cautious, by the voice of the capital and the soldiery; but afterward, in conjunction with the new patriarch *Tarasius*,¹⁶ she called a synod, which was broken up by an insurrection at Constantinople,¹⁷ but met again at *Nice* (Conc. oecumenic. vii., 787), and restored image-worship.¹⁸ The decrees

ἔξαιτεῖται προσενχάς ὡς παρῆρσίαν ἔχόντων ὑπὲρ τοῦ κόσμου πρεσβεύειν, κατὰ τὴν εκκλησιαστικὴν παράδοσιν, ἀνάθεμα.

¹² Συνοδικὸν of Theodore, patriarch of Jerusalem, about 766, in *Actis Conc. Nic. ii. ap. Mansi*, xii. 1135; comp. Walch, x. 376.

¹³ Cf. *Concilium Lateranense*, A.D. 769, ap. *Mansi*, xii. 713, ss.

¹⁴ Constantine (762) first put Andrew to death, ἐλέγχοντα αὐτοῦ τὴν ἀσέβειαν, καὶ Οὐάλεντα νέον καὶ Ἰουλιανὸν ἀποκαλοῦντα αὐτόν. Theophanes, p. 363. Continued obstinacy called forth a series of cruelties, from 766 to 775. Theophan. p. 367, ss. Nicephorus, p. 45, ss. *Acta S. Stephani* in the *Analectis graecis* ed. Monach. Benedict. Paris. 1688. 4. p. 396, ss. Comp. Walch, x. 403. Schlosser, S. 228, ff.

¹⁵ Comp. Walch, x. 413. On the surnames Copronymos (see the account of Theoph. p. 334) and Caballinus, see Walch, x. 356.—Against Theophanes, p. 370: Πανταχοῦ μὲν τὰς πρεσβείας τῆς παρένοντας καὶ θεοτόκους καὶ πάντων τῶν ἄγιων ἐγγράφως, ὡς ἀνωφελεῖς, καὶ ἀγράφος ἀποκηρύττων, δι' ὧν ἦμιν πηγάζει πᾶσα βοήθεια· καὶ τὰ ἄγια λειψανα αὐτῶν κατορύττων, καὶ ἀφανῆ ποιῶν, κ. τ. λ. (cf. note 9) see Walch, x. 401. But much superstition connected with the reliques certainly disappeared. *Concil. Nic. ii. can. 7. ap. Mansi*, xiii. 427: Τῷ οὖν ἀσέβει αἱρέσει τῶν Χριστιανοκατηγόρων καὶ ἄλλα ἀσεβῆματα συνηκολούθησαν—Ἐπερά τινα ἔθη παραλεῦκασιν, ὃ χρὴ ἀνανεῳθῆναι—ὅσοι οὖν σεπτοὶ ναοὶ καθιτρώθησαν ἐκτὸς ἄγιων λειψάνων μαρτύρων, ὅριζομεν ἐν αὐτοῖς κατάθεσιν γενέσθαι λειψάνων μετὰ καὶ τῆς συνήθους εὐχῆς.

¹⁶ S. Tarasii vita, by his pupil Ignatius, *Acta SS. Febr. iii.* 576.

¹⁷ See in particular the συγγραφὴ σύντομος δηλωτικὴ τῶν πραχθέντων πρὸ τῆς συνόδου ap. *Mansi*, xii. 990, ss. Theophanes, p. 389.

¹⁸ Its acts in *Mansi*, xii. 951, xiii. 820. In the δρός *Actio vii. ap. Mansi*, xiii. 377, it is said: Ὁρίζομεν σὺν ἀκριβείᾳ πάσῃ καὶ ἐμμελείᾳ παραπλησίως τῷ τύπῳ τοῦ τιμίου καὶ ζωοποιοῦ σταυροῦ ἀνατίθεσθαι τὰς σεπτὰς καὶ ἀγίας εἰκόνας—ἐν ταῖς ἀγίαις τοῦ θεοῦ ἐκκλησίαις, ἐν λεορῖς σκενεύσοι καὶ ἐσθῆσοι, τοίχους τε καὶ σανίσους, οἴκους τε καὶ ὁδοὺς—(ὅσῳ γὰρ συνεχῶς δὲ ἐκονικῆς ἀνατυπώσεως ὥρονται, τοσοῦτον καὶ οἱ ταύταις θεώμενοι διανιστανταί πρὸς τὴν τῶν πρωτότοπων μνήμην τε καὶ ἐπιπόθησιν) καὶ ταύταις ἀσπασμὸν καὶ τιμητικὴν προσκύνησιν ἀπονέμειν (οὐ μὴν τὴν κατὰ πίστιν ἡμῶν ἀληθινὴν λατρείαν, ἢ πρέπει μόνη τῇ θείᾳ φύσει, ἀλλ’ ὃν τρόπον τῷ τύπῳ τοῦ τιμίου καὶ ζωοποιοῦ σταυροῦ καὶ

of this synod remained also in force under *Nicephorus* (802–811) and *Michael Rhangabe* (811–813), though there were always many opposed to such worship, especially among the troops.¹⁹

Leo V. Armenus (813–820), one of the best princes,²⁰ appeared against image-worship,²¹ which had been carried by the heat of controversy to the greatest absurdities,²² caused it to be

τοῖς ἀγίοις εὐαγγελίοις καὶ τοῖς λοιποῖς ἱεροῖς ἀναθήμασι) καὶ θυμαμάτων καὶ φώτων προσαγωγὴν πρὸς τὴν τούτων τιμὴν ποιεῖσθαι, καθὼς καὶ τοῖς ἡραίοις εὐσεβῶς εἴθισται· ἡ γὰρ τῆς εἰκόνος τιμὴ ἐπὶ τῷ πρωτότυπῳ διαβατίνει, καὶ δὲ προσκυνῶν τὴν εἰκόνα προσκυνεῖ ἐν αὐτῇ τοῦ ἑγγραφομένου τὴν ὑπόστασιν. In the confession of faith of the synod, ib. p. 132, it is said: Ταῦς ἀγίας καὶ σεπτὰς εἰκόνας ἀποδεχόμεθα καὶ ἀσπαζόμεθα, καὶ περιπτυσσομέθα—τιμῶμεν καὶ ἀσπαζόμεθα, καὶ τιμητικῶς προσκυνοῦμεν—Exclamations of the synod: Νέον Κωνσταντίνου καὶ νέας Ἐδένης αἰωνίᾳ ἡ μνήμη, and τῷ μὴ ἀσπαζομένῳ τὰς ἀγίας εἰκόνας ἀνάθεμα.

¹⁹ Comp. the relation of Theophanes, p. 425: some (τινὲς τῶν δυσσεβῶν τῆς μαρᾶς αἱρέσως τοῦ θεοστυγοῦς Κωνσταντίνου) broke into the imperial tomb, προσέπιπτον τῷ τοῦ πλάνον μνήματι τοῦτον ἐπικαλούμενοι, καὶ οὐ θέον· ἀνάστηθι, λέγοντες, καὶ βοήθησον τῇ πολιτείᾳ ἀπολλημένῃ.

²⁰ Particular sources: The Chronographica narratio eorum quae tempore Leonis contigerunt annexed to Theophanes; S. *Nicephori Patr. vita* by Ignatius in the Actis SS. Mart. ii. 296, Greek in the Append. p. 704; S. *Nicetae vita* by Theosterictus, Acta SS. April. i. 261, Greek in the Append. p. xxii.; S. *Theophanis vita* prefixed to his chronography and Act. SS. Mart. ii. 218; S. *Theodori Studitae vita* by Michael Monachus in *Sirmonii Opp. v. i.*; S. *Nicolai Studitae vita* in Act. SS. Febr. i. 538.

²¹ Chronograph. narratio p. 435: Λέγων πρὸς τινας ὄμφρονας αὐτὸν, ὅτι τίνος ἔνεκέν, φησι, ταῦτα πως ἔχουσιν οἱ Χριστιανοὶ κατακυριεύμενοι ὑπὸ τῶν ἴθυν; ἐμοὶ δοκεῖ διὰ τὸ προσκυνεῖσθαι τὰς εἰκόνας, καὶ ἀλλο οὐδέν· καὶ βούλομαι αὐτὰς καταστρέψαι· βλέπετε γάρ, φησιν, ὅσοι βασιλεῖς ἐδέξαντο καὶ προσεκύνησαν αὐτὰς, ἀπέθανον, οἱ μὲν ἐκδιωχθέντες, οἱ δὲ ἐν πολέμῳ πεσόντες· μόνοι δὲ οἱ μὴ προσκυνήσαντες αὐτὰς ἴδιῳ θανάτῳ ἐκαστος εἰς τὴν βασιλείαν αὐτοῦ ἐτελεύτησε, καὶ μετὰ δόξης προκομισθεὶς εἰς τὰ τῶν βασιλέων κοιμητήρια ἐτάφη ἐν τοῖς Ἀποστόλοις. Λοιπὸν ἐκείνους καγὼ βούλομαι μιμήσασθαι, καὶ καταστρέψαι τὰς εἰκόνας, κ. τ. λ. Still more remarkable are the words of the emperor to the patriarch *Nicephorus*, ib. p. 437: Ό λαὸς σκανδαλίζεται διὰ τὰς εἰκόνας, λέγοντες, ὅτι κακῶς αὐτὰς προσκυνοῦμεν, καὶ ὅτι διὰ τοῦτο τὰ ἔθνη κυριεύοντις ἡμῶν· συγκατάβα τι μικρὸν, καὶ ποίησον οἰκονομίαν εἰς τὸν λαὸν, καὶ τὰ χαμηλὰ περιέλαμψεν· εἰ δὲ μὴ βούλει, πεῖσον ἡμᾶς δὲ οὐ ἔνεκεν [leg. ἐκεῖνα] προσκυνεῖτε, τῆς γραφῆς μὴ ἔχούσης φῆτῶς πώποτε. The patriarch had no other answer than: Ήμεῖς αὐτὰ, καλῶς ἐξ ἡρᾶς καὶ ἀνωθεν ὄρισθέντα ὑπὸ τε τῶν Ἀποστόλων καὶ τῶν πατέρων, οὔτε παρασαλεύομεν, οὔτε περισσότερόν τι ἐν αὐτοῖς οἰκονομοῦμεν.

²² Cf. Michaelis Balbi et Theophilii Imp. Epist. ad Ludov. Pium, A.D. 824 (preserved in Latin in the Acts of the Paris Synod, A.D. 825), ap. Goldast. l. c. p. 610, ss. Mansi, xiv 417: There we read: Multi de ecclesiasticis seu et laicis viris alieni de apostolicis traditionibus facti, et neque paternos terminos custodientes, facti sunt inventores malarum rerum. Primum quidem honorificas et vivificas cruces de sacris templis expellebant, et in eadem loca imagines statuebant ponebantque lucernas coram eis, simul et incensum adolebant, atque eas in tali honore habebant, sicut honorificum et vivificum lignum, in quo Christus verus Deus noster crucifigi dignatus est propter nostram salutem. Psallebant et adorabant, atque ab eisdem imaginibus auxilium petebant. Plerique autem linteaminibus easdem imagines circumdabant, et filiorum suorum de baptismatis fontibus suscepentes faciebant. (One Spatharius, who had done this, is almost elevated to the rank of a saint by Theodorus Stud. lib. i. Epist. 17.) Alii vero religiosum habitum monasticum sumere

prohibited by a synod at Constantinople (815),²³ and punished the disobedient, for the most part, monks, under the leadership of the fanatical *Theodore Studita*. *Michael II. Balbus* (820–829), tolerated the practice in private,²⁴ without, however, satisfying the friends of images by that concession. But since such toleration led to increasing encroachments, *Theophilus* (829–842) renewed vigorous measures against images, and their zealous defenders, the monks.²⁵ Soon after his death, *Theodora* once more allowed the worship of images to be ecclesiastically adopted (842),²⁶ and caused the memory of this triumph to be perpetuated by a yearly festival (*ἡ κυριακὴ τῆς ὁρθοῦ δοξίας*).²⁷ Still opponents of images appear afterward in the Greek Church;²⁸ but as the opposition to them did not arise from a true development of the popular mind, but solely from the emperor's will, it left no traces of a deep awakening in the direction of reform.

volentes, religiosiores personas postponebant, qui prius comam capitis eorum suspicere solebant, adhibitis imaginibus quasi in sinum earum decidere capillos corum sinebant. Quidam vero sacerdotum et clericorum colores de imaginibus radentes, immiscuerunt oblationibus et vino, et ex hac oblatione post missarum celebrationem dabant communicare volentibus. Alii autem corpus Domini in manus imaginum ponebant, unde communicare volentes accipere fecerunt. Nonnulli vero spreta ecclesia, in communibus domibus tabulis imaginum pro altariis utebantur, et super eas sacrum ministerium celebrabant, et alia multa his similia illicita, et nostrae religioni contraria in ecclesiis fiebant, quae a doctoribus et sapientioribus viris satis indigna esse videbantur. A counterpart of fanaticism in the Iconoclasts may be seen in vita Stephani jun. above, note 9.

²³ Cf. Mansi, xiv. 235, ss. Walch, x. 687. Especially Michaelis Ep. ad Lud. P. (l. c.): Propterea statuerunt orthodoxi Imperatores et doctissimi Sacerdotes, locale adunare concilium.—Talia ubique communi consilio fieri prohibuerunt, et imagines de humilioribus locis efferriri fecerunt, et eas, quae in sublimioribus locis positae erant, ut ipsa pictura pro scriptura haberetur, in suis locis consistere permisérunt, ne ab indoctoribus et infirmioribus adorarentur, sed neque eis lucernas accenderent, neque incensum adulerent prohibuerunt.

²⁴ Theodori Studitae vita, c. 102–122, et Nicolai Stud. vita.

²⁵ Still there are no instances of capital punishments, Walch, x. 715.

²⁶ Walch, x. 764 u. S. 784, ff. Schlosser, S. 544, ss.

²⁷ Leo Allatius de Dominicis et Hebdomadibus Graecorum, appended to his work de Eccl. Occid. atque Orient. perpetua consensione. Colon. Agripp. 1648. 4. p. 1432. Walch, x. 799.

²⁸ According to Nicolai Papac i. Epist. ad universos Catholicos (ap. Mansi, xv. 161), he had been assured by the Byzantine ambassadors who invited him to the synod of Constantinople, A.D. 861, maxime candem ecclesiam (Constantinopolitanam) ab Iconomachis redivivam contentionem excitantibus vexari, Christumque per singula conventicula blasphemari. Hence the decrees in favor of images at the synod of Constantinople, A.D. 869, can. iii. and vii. ap. Mansi, xvi. 400 and 401, and at that of A.D. 879, ap. Mansi, xvii. 494 Comp. Walch, x. 808.

§ 2.

CONDITION OF THE GREEK CHURCH.

In this period of controversy about images, when orthodoxy was so frequently changed according to court-caprice, the Greek clergy, yielding to the fear of man and immoderate ambition, sank to an abandoned condition;¹ while, on the other hand, the compulsion exercised toward the monks, called forth the most fearful fanaticism. Hence every thing bowed before such fanaticism at the times in which the monks' cause was triumphant. As the Church had lost her free characteristic nature, so also had the theological sciences. The only person worthy of distinction is *Johannes Damascenus* (*Chrysorrhoas, Mansur*) from the year 730, a monk in the Laura of St. Sabas, † about 760.² On the other hand, the works of the fanatical *Theodore*, abbot of the monastery Studium from 798, † 826,³ are only of historical importance.

¹ For example, the patriarch Anastasius, at first a tool of Leo Isaurus, but afterward changed under the pretender Artabasdes (Theophanes, p. 348: Κρατήσας τὰ τίμια καὶ ζωοποιὰ ξύλα ὅμοσε τῷ λαῷ· δτὶ μὲν τὸν προσηγόρευτα ἐν αὐτοῖς, οὕτως μοι εἶπε Κωνσταντῖνος ὁ βασιλεὺς, δτὶ μὴ λογίσῃ νὶὸν θεοῦ εἶναι, ὃν ἔτεκεν ἡ Μαρία, τὸν λεγόμενον Χριστὸν, εἰ μὴ ψιλὸν ἀνθρωπὸν· ἡ γὰρ Μαρία αὐτὴν ἔτεκεν, ὡς ἔτεκεν ἐμὲ ἡ μῆτηρ μον ή Μαρία). Constantine punished him in the severest manner, Theoph. p. 353: Πάλιν δὲ ὡς ὀμφόρουν αὐτοῦ ἐκφοβήσας καὶ δονλώσας ἐν τῷ θρόνῳ τῆς ιερωσύνης ἐκάθισε.—Compare the mode in which the bishops, who, just before the synod of Nice, had been violently opposed to the worship of pictures (Theoph. p. 389, and the συγγραφὴ σύντομος, ap. Mansi, xii. 990), retracted their sentiments at it, Act. 1, ap. Mansi, xii. 1015, ss.

² His principal work *Πηγὴ γνώσεως* in three parts, (1) τὰ φιλοσοφικά, (2) περὶ αἱρέσεων, (3) ἐκδοσις ἀκριβῆς τῆς ὄρθοδοξου πίστεως. (Cf. C. J. Lénström de Expositione fidei orthodoxae auct. Jo. Damasceno. Uppsal. 1839. Ritter's Gesch. d. christl. Philos. ii. 553.)—Besides *Ιερὰ παράλληλα*. Controversial writings against heretics, discourses, letters, ed. Michael le Quien. Paris. 1712. 2 voll. fol.

³ His numerous writings, discourses, and letters, against the Iconoclasts are for the greater part collected in Jac. Sirmondii Opp. t. v. Besides these the *κατηχήσεις* (lat. ed. J. Livinejus. Antverp. 1602. 8. Cf. J. J. Müller Studium coenob. Constant. illustratum diss. philol. hist. Lips. 1721. p. 32, ss.) and much besides, in part unprinted, cf. Fabricii Bibl. gr. t. ix. p. 234.

§ 3.

PAULICIANS.

Petri Siculi (about 870) Historia Manichaeorum (gr. et lat. ed. Matth. Raderus. Ingolst. 1604. 4. J. C. L. Gieseley. Gotting. 1846. 4). Photius adv. recentiores Manichaeos libb iv. (in J. Christ. Wolfi Anecdotis gr. t. i. et ii. Hamb. 1722, 23. 8, and in Gallandii Bibl. PP. xiii. 603). Armenian accounts respecting the Paulicians,¹ in the Tübingen Quartalschrift, 1835. S. 54. F. Schmidii Hist. Paulicianorum orientalium diss. Hafniae. 1826. 8. Die Paulicianer, a treatise in Winer's u. Engelhardt's neuem krit. Journ. d. theol. Literat. Bd. 7, St. 1, u. St. 2. Gieseley's Untersuchungen über die Geschichte der Paulicianer, in the Theol. Studien u. Kritiken. Jahrg. 1829. Heft 1, S. 79, ss. Neander's K. G. iii. 492. Gfröter's K. G. iii. i. 196.

In Armenia, the struggle of Christianity with Parsism² had also favored the blending together of both religions, and thus the dualist-Christian parties called *children of the sun*, i. e., *sun-worshipers* by the other Armenian Christians, had maintained their existence longest in this country.³ About 660, one *Constantine* appeared as a reformer, proceeding from a dualistic, probably a Marcionite Church, in Mananalis in Samosata. This man had been moved by reading the New Testament writings, especially those of Paul; and made his public appearance in the like-minded church at *Kibossa*, situated in the province of Colonia in *Armenia prima*. His design was, without renouncing his dualistic fundamental principle, to restore, as a genuine disciple of Paul (*Sylvanus*), a genuine Pauline Church (Macedonia), († about 684). He found successors like himself (*Symeon*, *Titus* † about 690. *Paulus* † about 715. *Gegnäsius*, *Timotheus* † about 745. *Josephus*, *Epaphroditus* † about 775. *Baanes* till 801), under whom the *Paulicians* (*Παυλικιανοί*)⁴

¹ The oldest in the treatise of Johannes v. Ozun (patriarch of Armenia from 718–729) against the Paulicians, in Domini Johannis Philos. Ozniensis, Armenorum Catholici, Opera, ed. J. N. Aucher. Venet. 1834. 8. Comp. Neumann's Gesch. der armen. Literatur, S. 107. In this work, however, there is less a representation of the peculiarities of the Paulicians than reports of scandalous actions which were every where circulated respecting the Dualists.

² Comp. above Div. II. § 107.

³ Tschamtschean's (respecting him see Div. II. § 112, note 3), Gesch. Armeniens, i. 765. Neander, iv. 451.

⁴ Ap. Germanus de Haeresibus et Synodis in the Spicil. Rom. vii. i. 70 (comp. § 1, note 5) Παυλικιανοί. The affirmation, that they received these names from two Manichaeans, Paul and John, sons of Callinice, who are said, at an earlier but uncertain period, to have spread Manichaeism from Samosata to Phanarōa, is nothing but a later Catholic fiction. Doubtless, the name was originally given to them by the Catholic Church on account

continued to spread themselves farther into Asia Minor, and had *Phanaröa* in Helenopontus as their chief settlement. In addition to the peculiar dualistic doctrines, their characteristic marks were the affixing of a high value to the universal use of the Holy Scriptures,⁵ and a rejection of all externalities in religion.⁶ Their abhorrence of images might have brought many a vigorous opponent of image-worship nearer to them;⁷ but

of the high value they attached to Paul. See Theol. Studien u. Krit. 1829. S. 82, ff. They did not so style themselves, Photius, i. c. 6 : Τοὺς μὲν ἀληθῶς ὄντας Χριστιανὸς Ψωμαίους οἱ τρισαλιτήριοι ὄνομάζοντιν, ἔαντος δὲ τὴν κλῆσιν—τῶν Χριστιανῶν περιάπτοντιν. C. 9 : Καθολικὴν δὲ ἐκκλησίαν τὰ ἔαντῶν καλοῦσι συνέδρια.

⁵ To Sergius, the Paulician female, who converted him, said (Petrus Sic. p. 56) : Ἰνατὶ τὰ θεῖα οὐκ ἀναγινώσκεις Εὐαγγέλια; to which he replied : Οὐκ ἔξεστιν ἡμῖν κοσμικοῖς οὖσιν ταῦτα ἀναγινώσκειν, εἰ μὴ τοῖς ἱερεῦσι μόνοις. (It was not an ecclesiastical regulation, but a popular delusion, like that refuted by Chrysostomus de Lazaro Orat. iii. Opp. iii. 56, that the reading of the Bible is only for monks). On which she said : Οὐκ ἔστιν οὐτως ὡς σὺν ὑπολαμβάνεις· οὐ γάρ ἔστι προσωποληφία παρὰ τῷ θεῷ· πάντας γὰρ θεῖς σωθῆναι ὁ Κύριος, καὶ εἰς ἐπίγνωσιν ἀληθείας ἐλθεῖν.

⁶ Their errors were, according to Petrus Sic. p. 16, ss. : Πρῶτον μὲν γάρ ἔστι τὸ κατ' αὐτὸν γνώρισμα τὸ δύο ἀρχὰς ὅμολογεν, πονηρὸν θεὸν καὶ ἀγαθόν· καὶ ἄλλον εἶναι τοῦδε τοῦ κόσμου ποιητὴν καὶ ἔξουσιαστὴν, ἔτερον δὲ τοῦ μελλοντος (namely, τὸν πατέρα ἐπουράνιον). To the Catholics they said : Υμεῖς πιστεύετε εἰς τὸν κοσμοποιητὴν· ἡμεῖς δὲ εἰς ἑκεῖνον περὶ οὗ ἐν Εὐαγγελίοις ὁ Κύριος λέγει, ὅτι σύντε φωνὴν αὐτοῦ ἀκηκόατε σύντε εἰδος αὐτοῦ ἐωράκατε.—Δεύτερον τὸ τὴν πανύμνητον καὶ ἀειπάρθενον θεοτόκον μηδὲ κάνεν ἐν ψιλῇ τῶν ἀγαθῶν ἀνθρώπων τάπτειν ἀπεχθῶς ἀπαριθμήσει, μηδέ ἐξ αὐτῆς γεννηθῆναι τὸν Κύριον, ἀλλ᾽ οὐρανόθεν τὸ σῶμα κατενεγκείν (Photius, i. c. 7 : Δι' αὐτῆς δὲ, ὡς διὰ σωλῆνος, διεληλυθέναι). Καὶ διὰ μετὰ τὸν τοῦ Κυρίου τόκον καὶ ἄλλοις, φασὶν, νίονς ἐγένενησεν ἐκ τοῦ Ιωσήφ. (According to Photius they were fond of expressing themselves thus : Πιστεύομεν εἰς τὴν παναγίαν θεοτόκον, ἐν ᾧ εἰσῆλθεν καὶ ἐξῆλθεν ὁ κύριος, and understood this with reference to Gal. iv. 26, τὴν ἄνω ιερουσαλήμ, and said : 'Ἐν αὐτῇ πρόδρομον ὑπὲρ ἡμῶν εἰσελθεῖν τὸν Χριστόν').—Τρίτον τὸ τὴν θείαν καὶ φρικτὴν τῶν ἀγίων μυστηρίων τοῦ σώματος καὶ αἵματος τοῦ Κυρίου καὶ θεοῦ ἡμῶν μετάληψιν ἀποτρέψαι· οὐ μόνον δέ, ἀλλὰ καὶ ἄλλους περὶ τούτῳ πειθεῖν οἰεσθαι· λέγοντες, ὅτι οὐκ ἂν ἄρτος καὶ οίνος, οὐ διὰ Κύριος ἐδίδον τοῖς μαθηταῖς αὐτοῦ ἐπὶ τοῦ δείπνου, ἀλλὰ συμβολικῶς τὰ βήματα αὐτοῦ αὐτοῖς ἐδίδον, ὡς ἄρτον καὶ οίνον. (Phot. i. 9 : Τὸ σωτήριον διαιπάνοντες βάπτισμα, ὑποπλάττονται παραδέχεσθαι αὐτὸν, τὰ τοῦ Εὐαγγελίου βήματα τῷ τοῦ βαπτίσματος φωνῇ ὑποβάλλοντες· καὶ γάρ φασιν, διὰ Κύριος ἐφη· ἐγώ εἰμι τὸ ὄνδωρ τὸ ζῶν).—Τέταρτον τὸ τὸν τύπον καὶ τὴν ἐνέργειαν καὶ δύναμιν τοῦ τιμίου καὶ ζωοποιοῦ σταυροῦ μὴ ἀποδέχεσθαι, ἀλλὰ μυρίας ὑβρεσι περιβάλλειν. (Phot. i. 7 : Τὸν σταυρὸν, ἀτε δῆ ξύλον φασι, καὶ κακούργων ὄργανον, καὶ ὑπὸ ἀράν κείμενον, οὐ δεῖ προσκυνεῖν καὶ ἀσπάζεσθαι).—Πέμπτον τὸ μὴ ἀποδέχεσθαι αὐτὸν τὴν οἰανὸν βιβλον παλαιὰν, πλάνονς καὶ ληστὰς τοὺς προφήτας ἀποκαλοῦντες. Of the New Testament they adopted four gospels, fourteen epistles of Paul, the epistles of James, John, and Jude, and the Acts of the Apostles, with unaltered text; τὰς δύο καθολικὰς τοῦ μεγάλου—Πέτρον τὸν πρωταποστόλον οὐ δέχονται, ἀπεχθῶς πρὸς αὐτὸν διακείμενον, καὶ ὑβρεσι καὶ ὄνειδισμοῖς μυρίοις περιβάλλοντες. (Phot. i. 8 : Οτι γέγονεν ἔξαρνός, φασι, τῆς εἰς τὸν διδάσκαλον καὶ Χριστὸν πίστεως, perhaps with reference to Gal. ii. 11, ff. See Theol. Studien u. Krit. 1829. S. 109).—Ἐκτον τὸ τὸν πρεσβυτέρους τῆς ἐκκλησίας ἀποτρέπεσθαι· φασὶ δὲ, διὰ τηνικαῦτα οἱ πρεσβύτεροι κατὰ τοῦ Κυρίου συνῆχθσαν, καὶ διὰ τοῦτο οὐ χρὴ αὐτοὺς ὄνομάζεσθαι, φιλῷ τῷ ὄνόματι καὶ μόνῳ ἀπεχθανόμενοι. According to Photius, i. 9, they called their houses of meeting προσευχάς.

⁷ John of Ozun (see note 1) says, that the Paulicians begin their attempts at conversion

under the image-assailing emperors they could the less reckon on their being spared, because the enemies of images had to avoid the danger of being classed with them.⁸ At first, gross immorality of various kinds was also charged against the Paulicians, into which, by-paths from their system may have certainly led them;⁹ but afterward, when *Sergius*, as *Tychicus*, set himself in antagonism to Baanes surnamed ὁ ρυπαρός on account of his immorality (801), a beneficial reform was effected in the greater part of the sect who sided with him,¹⁰ and he procured for himself the reputation of a second founder, not only by this antagonism, but by the unwearied and successful efforts he put forth for the extension of the sect.¹¹ But this very enlargement gave rise to new persecutions, which were so violent, under Leo the Armenian, that many Paulicians, and with them Sergius too, fled from lesser Armenia to the territories of the Saracens. The Emir in Melitene assigned to them, as a place of residence, the little town of *Argaum*; from which place, notwithstanding the dissuasions of Sergius,¹² they began unceasing predatory marches into the Byzantine territory. After Sergius's death († 835), they resolved to intrust the spiritual oversight of the Church to all the συνεκδήμοις of it, instead of to one per-

with attacking image-worship (p. 79), and that many Iconoclasts, driven out from the Catholic Church, had gone over to them (p. 89).

⁸ Theol. Stud. u. Krit. 1829. S. 89.

⁹ Theol. Stud. u. Krit. 1829. S. 120, ff.

¹⁰ Petrus Sic. p. 58, ss.: Οἱ γὰρ πρὸ αὐτοῦ (Σεργίου) ἀναφανέντες, εἰ καὶ διὰ τὸν δυσώδη βόρβορον τῆς ἄκολασίας καὶ τὴν αἰσχρουργίαν τῶν μιασμάτων καὶ τὰς εἰς θεὸν βλασphemίας ἔξαιρετο τῷ κακῷ ὑπῆρχον, ἀλλ᾽ ὅμως φενκταῖοι τοῖς ἀνθρώποις καὶ βδελυκτοῖ πάσιν ἐφαίνοντο· οὗτοι καὶ διλύγοι οἱ ἐξ αὐτῶν ἀπατώμενοι· οὗτος δὲ τοὺς μὲν μαστιὸς καὶ τὰς πολλὰς ἄκολασίας αντῶν ἀποβαλόμενος, τὰς δυσφημίας δὲ πάσας ὡς σωτήρια περιπτυζόμενος δόγματα, ὄμετάς τινας δολιῶς ὑπεκρίνετο, καὶ εὐσεβείας μόρφωσιν περικαλύψας τὸν λύκον ὡς ἐν κωδιῷ προβάτου,—ἐδόκει τοῖς ἀγνοοῦσιν ἀριστοῖς ὁδηγὸς σωτηρίας καταφαίνεσθαι.—Ἐν τοιάσιας τοίννυν ταῖς μεθοδείαις μέχρι τῆς δεύτερης τοὺς ἔξαπατσιν.

¹¹ He himself said on this point in one of his letters (Petrus Sic. p. 60. Phot. i. c. 21): Ἀπὸ ἀνατολῶν καὶ μέχρι δυσμῶν, καὶ βορρᾶ καὶ νότου ἔδραμον κηρύσσων τὸ Εὐαγγέλιον τοῦ Χριστοῦ, τοῖς ἐμοῖς γόνασι βαρῆσας. In another letter he says, respecting the establishment of the different churches (Petrus Sic. p. 66): Τὴν ἐν Κορίνθῳ (probably Epirisparis in Phanarōa. See Phot. i. 18) ἐκκλησίαν ὥκοδόμησε Παῦλος, τὴν δὲ Μακεδονίαν (Kibossa) Σιλονανὸς (Constantinus) καὶ Τίτος (Symeon); καὶ Ἀχαίαν (Mananalis) ἀνιστόρισε Τιμόθεος (Gegnasius). Τὴν τῶν Φιλιππησίων ἐκκλησίαν ἐλειτούργησεν Ἐπαφρόδιτος (Josephus). τὴν Λαοδικέων καὶ Ἐφεσίων ἐκκλησίαν, ἐπὶ δὲ καὶ τὴν τῶν Κολασσέων ἐμαδήπετε Τυχικός (Sergius). Petrus adds: Κολασσαῖς μὲν λέγει τοὺς Ἀργασόντας, Εφεσίους δὲ τοὺς ἐν Μοιφονεστίᾳ, Λαοδικεῖς δὲ τοὺς κατοικοῦντας κύνας τὴν τοῦ κυνὸς χώραν (i. e., τοὺς Κυνοχωρίτας).

¹² He said (Petrus Sic. p. 62): Ἐγὼ τῶν κακῶν τούτων ἀνατιός εἰμι· πολλὰ γὰρ παρῆγγελλον αὐτοῖς ἐκ τοῦ αἰχμαλωτίεν τοὺς Ψωμαίοντος ἀποστῆναι, καὶ οὐχ ὑπῆκον σάν μοι.

son.¹³ But after a political character also had now been forcibly impressed on it, it soon after received a temporal head. When the bigoted empress Theodora caused persecution to be renewed against them, fresh crowds of them fled to Argaum, under the leadership of *Karbeas* (about 844), who soon stepped forth at the head of the whole sect. Their power increased, partly by the union of the Baanites and Sergiots,¹⁴ hitherto divided, and partly by the founding of new settlements, among which *Tephrica* soon became a border establishment very dangerous to the Byzantine territory.¹⁵ Thus Karbeas, at the head of armies, could now give regular battle to the Byzantine generals, allied as he was with the Saracens.¹⁶ During this time, there proceeded from the Paulicians an impulse toward a reform of the old dualistic parties in Armenia; and the sect of the *Thontrakians*, in the province of Ararat, was formed by one *Sembat*, between 833 and 854.¹⁷

¹³ Petrus Sic. p. 70, s.: Μαθηταὶ δὲ τούτου (Σεργίου) ὑπῆρχον μωσικώτεροι Μιχαὴλ, κ. τ. λ., οὗτοι τοίνυν οἱ μαθηταὶ αὐτοῦ, οἱ καὶ συνέκδημοι (cf. Act. xix. 29, 2 Cor. viii. 19, in the same way as Marcion addressed his adherents, συνταλαιπωροι καὶ συμμισούμενοι. Tertull. adv. Marc. iv. 9 and 36) παρ' αὐτοῖς λεγόμενοι, ὡς μιερεῖς (i. e., μιαροὶ ἵερεῖς) τινες, τὸν ἄπαντα λαὸν τὸν συναθροισθέντα ἐν τῷ Ἀργαοῦ, μετὰ τὸν τοῦ διδασκάλου αὐτῶν Σεργίου θάνατον, ταῖς διδασκαλίαις αὐτοῦ τε καὶ τῶν προηγησαμένων λυμανόμενοι, ἰσότιμοι πάντες ὑπῆρχον, μηκέτι ἔνα διδάσκαλον ἀνακηρύξαντες, καθάπερ οἱ πρώην, ἀλλὰ πάντες ἴσοι ὄντες. Ἐχουσι δὲ καὶ ὑποβεζηκότας μιερεῖς, νοταρίους παρ' αὐτοῖς ὄνομαζομένους. Photius, i. c. 9: Τοὺς παρ' αὐτοῖς ἱερέων τάξιν ἐπέχοντας οὐχ ἱερεῖς, ἀλλὰ συνεκδήμους καὶ νοταρίους ἐπονομάζοντιν. Οὗτοι δὲ οὔτε σχήματι, οὔτε διαίτῃ, οὔτε τινὶ ἀλλῷ τρόπῳ βίον σεμνότερον ἐπιτελοῦντι τὸ διάφορον αὐτῶν πρὸς τὸ πλῆθος ἐπιδείκνυνται.

¹⁴ Petrus Sic. p. 70: Μετὰ τὸν θάνατον Σεργίου, μὴ φέροντες οἱ αὐτοῦ μαθηταὶ ἑαυτῶν τὴν αἰσχύνην καὶ τὸν ὄνειδισμὸν, ὃν παρὰ πάντων ὄνειδίζοντο, ἥρξαντο ἀποκτείνειν τοὺς Βανιώτας, ὅπως ἐξαλείψωσιν ἐξ ἑαυτῶν τὸν ὄνειδισμὸν αὐτῶν. Εἰς δέ τις, Θεόδοτος ὄνόματι, ὁ συνέκδημος Σεργίου, λέγει: “μηδὲν ὑμῖν καὶ τοῖς ἀνθρώποις τούτοις· πάντες γάρ μέχρις ἀναδείξεως τοῦ διδασκάλου ἡμῶν μίαν πίστιν εἰχομεν.” καὶ οὕτως τοῦ φονεύειν ἀπαίσθαντο. Cf. Photius, i. c. 23.

¹⁵ Constantini Porphyrog. Continuator iv. c. 16. Cedrenus, p. 541.

¹⁶ Constantini Porph. Cont. iv. c. 16, 23–25.

¹⁷ Tschamtschean's Gesch. v. Armenien, ii. 884. Neander, iv. 451. Neumann's Gesch. d. armen. Liter. S. 127.

SECOND PART.

HISTORY OF THE WESTERN CHURCH.

Anastasii Bibliothecarii (about 870) Liber pontificalis (see Vol. I. Div. II. before, § 131). The Frank historians, especially Annales Laurissenses (usually called Plebeji or Loiseliani) from 741–829 (the second part from 788 composed by Einhard): and Annales Einhardi from 741–829, a corrected version of the Laurissenses:—Annales Fuldenses from 680–901; the original reaches to 830, and continued in successive portions till 838, 863, 882, 887, and 901, by contemporaries.—Annales Bertiniani from 741–882, the original likewise to 830; from 835–861 composed by Prudentius, bishop of Troyes, and from 861–882 by Hincmar, archbishop of Rheims. All these works are best edited in the Monumenta Germaniae historicae, ed. G. H. Pertz. Scriptorum tom. i. Hanover. 1826. fol.

Einhardi († 844) Vita Caroli M. (Einhardi omnia quae exstant Opera ed. A. Teulet, tomi ii. Paris. 1840, 43. 8. Life and Conduct of Charlemagne described by Einhard. Introduction, original, explanation, collection of original documents, by J. C. Ideler. 2 Bde. Hamburg u. Gotha. 1839. 8.) Monachi Sangallensis de Gestis Caroli M. libb. ii. (884–887, probably not written by Notkerus Balbulus, see Pertz Monum. Germ. ii. p. 729.) Theganii Vita Ludovici Pii (written 835, with additions to 838). (Astronomii) Vita Imp. Lud. P. (Pertz, ii. p. 604.) Nithardi Historiarum libb. iv. (written 841–843). All in the Monumenta Germaniae, t. ii.

On the entire sources see J. Chr. F. Bähr's Gesch. d. rom. Literatur im karoling. Zeitalter (Carlsruhe. 1840. 8) S. 143, ss.

FIRST CHAPTER.

CONVERSION OF THE GERMANS BY BONIFACE.

SOURCES: Bonifacii Epist. ed. Nic. Serarius, Mogunt. 1605, recus. 1629. 4. Steph. Würdtwein, ibid. 1789. fol. (comp. Allgem. Lit. Zeit. Octob. 1790, S. 49, ff.) Bonifacii Vita by Willibald (about 760) in Monumenta Germaniae hist. ii. 331, by Othlonus (about 1050) ap. Canisius-Basnage, iii. 337. Cf. Acta SS. Junii i. 452. Mabillon Act. SS. Ord. Bened. saec. iii. ii. 1.

WORKS: Nic. Serarii Moguntiacarum rerum (libri v. Mog. 1604. 4, denuo ed. G. Chr. Johannes. Francof. 1722. fol.) lib. tertius. Casp. Sagittarii Antiquitates gentilismi et christianismi Thuringici. Jenae. 1685. 4. H. Ph. Gudendii Diss. de Bonif. Germanorum Apost. and ejusd. observatt. miscell. ex historia Bonifacii selectae, both Helmst 1720. 4. J. S. Semler Diss. de propagata per Bonifacium inter Germanos relig. chr. Hal. 1765. J. F. Chr. Löffler's Bonifacius. Gotha. 1812. 8. Bonifacius, d. Apostel d. Deutschen, v. J. Ch. A. Seiters. Mainz. 1845. 8. H. J. Royaards Geschiedenis der Invoering en vestiging van het Christendom in Nederland, 3te Uitg. Utrecht. 1844, p. 219. F. W. Rettberg's Kirchengesch. Deutschlands. Bd. 1 (Göttingen. 1846), S. 330.

§ 4.

In proportion as the influence of the Franks on the different German tribes was greater or less, Christianity met with greater

or less acceptance among them, not so much by general organized plans, as by the voluntary activity of individuals. Hence ecclesiastical discipline was still entirely unknown, and heathenism was not unfrequently mixed with Christianity.¹ At this time *Winfried* (Boniface), an English monk, full of the piety of an age which consisted in mingling together an attachment to external forms, and, in the English Church in particular, subjection to the Roman See, resolved to be apostle of Germany. After an unsuccessful attempt in Friesland (715), he went to Rome (718), to procure there full powers for the conversion of the Germans.² The first successful fruit of his labors he met with among the *Hessians* about *Amöneburg* (722). Highly pleased with this, Pope Gregory II. consecrated him bishop (723), and thus bound him and his active ministry still more closely to the Roman See.³ Recommended by the pope to Charles Martel,

¹ Comp. Gregorii Papae II. Capitulare datum Martiniano Episcopo, caet., in Bavarium allegatis A.D. 716, ap. Mansi, xii. p. 257. Sterzinger v. d. Zustande der baier. Kirche unter Theodo. II., in the Abhandl. d. churf. baier. Academie, Bd. 10 (München. 1776), S. 137, ff.

² The document giving him full power (Othlon. lib. i. c. 12, Bonif. Ep. ed. Serarii, 118, ed. Würdtw. 2) closes thus: *Disciplinam denique sacramenti, quam ad initiandos Deo praevie credituros tenere studeas, ex formula officiorum sanctae nostrae sedis apostolicae, instructionis tuae gratia praelibata; volumus ut intendas. Quod vero actioni susceptae tibi deesse perspexeris, nobis, ut valueris, intimare curabis.*

³ Boniface's oath, Othlon, i. 14, in Bonif. Epist. l. c.: *In nomine Domini Dei et Salvatoris nostri Jesu Christi. Imperante domno Leone a Deo coronato magno imperatore anno septimo post consulatum ejus. Sed et Constantini magni imperatoris ejus filii anno iv. indictione vi. Promitto ego Bonifacius, Dei gratia episcopus, tibi beato Petro Apostolorum principi, vicarioque tuo beato Gregorio Papae et successoribus ejus, per Patrem, et Filium, et Spiritum Sanctum, Trinitatem inseparabilem, et hoc sacratissimum corpus tuum, me omnem fidem et puritatem sanctae fidei catholicae exhibere, et in unitate ejusdem fidei Deo operante persistere, in qua omnis Christianorum salus sine dubio esse comprobatur: nullo modo me contra unitatem communis et universalis ecclesiae suadente quopiam consentire: sed, ut dixi, fidem et puritatem meam atque concursum tibi, et utilitatibus ecclesiae tuae, cui a Domino Deo potestas ligandi solvendique data est, et praedicto vicario tuo, atque successoribus ejus per omnia exhibere. Sed et si cognovero, antistites contra instituta antiqua sauctorum patrum conversari, cum eis nullam habere communionem aut conjunctionem, sed magis, si valuero prohibere, prohibeam: sin minus, fideliter statim Domino meo Apostolico renuntiabo. Quod si, quod absit, contra hujus promissionis meae seriem aliquid facere quolibet modo, seu ingenio vel occasione tentavero, reus inveniar in aeterno judicio, ulticem Ananiae et Sapphirae incurram, qui vobis etiam de rebus propriis fraudem facere vel fulsum dicere praesumserunt. Hunc autem indiculum sacramenti ego Bonifacius exiguis episcopus manu propria scripsi, atque ponens supra sacratissimum corpus beati Petri, ita ut praescriptum est, Deo teste et judge, praestiti sacramentum, quod et servare promitto. This oath is, with a few alterations, entirely like the Indiculus Episcopi which the pope exacted from the bishops belonging to his patriarchal diocese, of which two formulas have been preserved in the Lib. diurnus cap. iii. tit. 8 and 9. Similar oaths it was usual to take in Spain, even at an earlier period, the bishops to the metropolitan, and the inferior clergy to the bishop. Conc. Tolet. iv. ann. 633, can. 17.*

and provided by the latter with a letter of safety, he first completed the conversion of the Hessians, and then went into *Thuringia*. Gregory III. appointed him archbishop and apostolic vicar (732),⁴ and in this capacity Boniface began, after a third journey to Rome (738), to arrange the ecclesiastical relations of Germany. He first divided *Bavaria* into four dioceses (*Salzburg*, *Freisingen*, *Regensburg*, *Passau*, 739);⁵ then he established (741) for East Franconia, Hesse, and Thuringia, the bishoprics of *Würzburg*, *Eichstätt*, *Buraburg* (at Fritzlar, 787 united with Mainz), and *Erfurt*;⁶ and at the *first German council* (742), subordinated the new church, so far as the ecclesiastical government of the Frankish rulers allowed, to the pope.⁷ As seminaries and resting points of Christianity, he founded monasteries: *Ohrdruf* for Thuringia (724); *Fritzlar* and

Conc. Tolet. xi. ann. 675, can. 10. Cf. Zaccaria diss. de jurejurando, quo Archiepiscopi pallio donati, et Episcopi in sacra ipsorum ordinatione obedientiam Romano Pontifici pollicentur cap. 1-3 (in ejusd. de Rebus ad. Hist. atque Antiquit. Ecclesia pertinentibus dissertt. latinae Fulginae. 1781. 4. tom. ii. p. 264, ss.).

⁴ Bonif. Epist. 122, ed. Serar. 25 Würdtw.

⁵ Sterzinger's Entwurf. v. d. Zustande der baier. Kirche, v. 717, b. 800, in d. Neuen hist. Abhandl. d. churf. baier. Academie. Bd. 2, S. 315.

⁶ Boniface consecrated no bishop for Erfurt, but probably reserved this diocese for himself, since otherwise he would have been without a diocese till 745, till he united it, after his elevation to the see of Mainz, with this archbishopric. Thus all difficulties are most readily solved. Comp. Seiters, p. 306, ff.

⁷ The seven resolutions of this synod were announced by Karlmann as capitularies (Mansi, xii. 365. Pertz Monum. Germ. iii. 16): Ego Carlmannus, dux et princeps Francorum—cum consilio servorum Dei et optimatum meorum Episcopos, qui in regno meo sunt, cum Presbyteris—congregavi,—ut mili consilium dedissent, quomodo lex Dei et ecclesiastica religio recuperetur, quae in diebus praeteritorum principum dissipata corruit; et per consilium sacerdotum et optimatum meorum ordinavimus per civitates Episcopos, et constituimus super eos Archiepiscopum Bonifacium, qui est Missus S. Petri. Statuimus per annos singulos synodus congregare, ut nobis praesentibus canonum decreta et Ecclesiae jura restaurentur, et religio christiana emendetur, etc. The additional measures taken by Boniface are related by him in his Epist. ad Serar. 105; ed. Würdtw. 73, ad Cudberthum: Decrevimus autem in nostro synodali conventu et confessi sumus fidem catholicam et unitatem, et subjectionem Romanae Ecclesiae, fine tenus vitae nostrae, velle servare: sancto Petro et Vicario ejus velle subjici: synodus per omnes annos congregare: Metropolitanos pallia ab illa sede querere: et per omnia, praecepta Petri canonice sequi desiderare, ut inter oves sibi commendatas numeremur. Et isti confessionis universi consensus et subscripsimus, et ad corpus sancti Petri principis Apostolorum direximus, quod gratulando Clerus et Pontifex Romanus suscepit.—Et unusquisque Episcopus, si quid in sua dioecesi corrigere vel emendare nequiverit, itidem in synodo coram Archiepiscopo et palam omnibus ad corrigerendum insinuet, eodem modo, quo Romana Ecclesia nos ordinatos cum sacramento constrinxit, ut si Sacerdotes vel plebes a lege Dei deviasse viderim, et corrigerem non potuerim, fideliter semper sedi apostolicae et Vicario S. Petri ad emendandum indicaverim. Sic enim, ni fallor, omnes Episcopi debent Metropolitanum, et ipse Romano Pontifici, si quid de corrigendis populis apud eos impossibile est, notum facere: et sic alieni fient a sanguine animarum perditarum.

Amöneburg for Hesse (732). The most celebrated was *Fulda* (744). In the mean time Boniface had entered into an association with the new Frankish rulers, Karlmann and Pipin, which proved of no small importance in the course of the great ecclesiastical developments of this century. He made *Mainz* (745) his archiepiscopal seat, but resigned it (753) to his pupil Lullus, for the sake of preaching among the Frieslanders.⁸ He died the death of a martyr at Dockum (5th June, 755).

The chief traits in Boniface's character are, an exaggerated notion of the external unity of the church, and of ecclesiastical statutes, as well as a deep reverence for the Roman See, without which he undertook nothing. As he himself sought for ecclesiastical laws, even with regard to the most indifferent actions of daily life,⁹ so was he severe and persecuting against all who departed from Roman-ecclesiastical regulations,¹⁰ as in the instance of the two clergymen *Adelbert* and *Clement*.¹¹ Thus

⁸ Till the death of the Friesian king Radbot (719), Utrecht still belonged to Friesland; Wiltaburg, which lay opposite to it, to Franconia. (*Vita Bonifacii auct. Wilibaldo*, § 13. Pertz, ii. p. 839. *Gesta abb. Fontanell. c. 3, l. c. p. 277.*) From this time Frankish rule spread more and more toward the east, especially after Charles Martel's victory, 734 (*Fredegar. c. 109.*). Thus, therefore, a much better prospect of success presented itself here since the first missionary labors of Boniface.

⁹ Which had been abundantly furnished to him by Rome, because such fetters of the conscience bound at the same time to the Roman See. For example. *Gregorii III. Epist. ad Bonif.* (ed. Serar. 122, Würdtw. 25, ap. Mansi, xii. 277): *Agrestem caballum aliquantos adjuxisti comedere, plerosque et domesticum. Hoc nequam fieri deinceps, sanctissime frater, sinas, sed quibus potueris modis Christo juvante per omnia compesce, et dignam eis indicito ponebitiam. Immunundum enim est et execrabile. Zachariae Epist. ad Bon.* (ed. Serar. 142, Würdtw. 87, ap. Mansi, xii. 345): *Flagitasti a nobis, quae recipienda, quae respuenda sint. Imprimis de volatilibus, i. e., graculis et corniculis atque eiconiis, quae omnino cavendae sunt ab esu Christianorum. Etiam et fibri et lepores et equi salvatici multo amplius vitandi. Attamen, sanctissime frater, de omnibus e Scripturis sacris bene compertus es.—Et hoc inquisisti, post quantum temporis debet lardum comedti. Nobis a Patribus institutum pro hoc non est. Tibi autem petenti consilium praebemus, quod non oporteat illud mandi, priusquam super fumo siccetur aut igne coquatur. Si vero libet, ut incocum manducetur, post Paschalem festivitatem erit manducandum.*—Seiters, p. 226, 451, would consider these regulations as directed merely against impediments to civilization. In this way, certainly, the use of raw flesh generally, not of single beasts, might be accounted for, but not the entire use of certain beasts. Besides, Zacharias expressly refers to holy Scripture and the fathers. It is obvious that he makes his Italian usages, respecting meats, Christian laws relative to food.

¹⁰ Particularly also against married priests, who are designated as *fornicatores*. Rettberg, i. 323.

¹¹ *Bonif. Ep. ad Zachariam P.* (ed. Serar. Ep. 135, Würdtw. 67): *Maximus tamen mihi labor fuit contra duos haereticos pessimos et publicos et blasphematos contra Deum et contra catholicam fidem. Unus qui dicitur Adelbert natione generis Gallus est; alter qui dicitur Clemens genere Scotus est: specie erroris diversi, sed pondere peccatorum pares. Contra istos obsecro apostolicam auctoritatem vestram, quod meam mediocritatem defendere et adjuvare, et per scripta vestra populum Francorum et Gallorum corri*

he bound the new German Church to Rome still more firmly than the English was.¹² On the other hand, his true Christian piety, which shone forth under all external forms, and his strict morality, which exceeded even his reverence for Rome, are worthy of all respect.¹³

gere studeatis,—ut per verbum vestrum isti duo haeretici mittantur in carcерem,—et nemo cum eis loquatur vel communionem habeat.—Propter istos enim persecutions et inimicities et maledictiones multorum populorum patior.—Dicunt enim de Adelberto, quod eis sanctissimum Apostolum abstulerim, patronum et oratorem, et virtutum factorem, et signorem ostensorem abstraxerim. Sed pietas vestra audiens vitam ejus iudicet. In primaeva enim aetate hypocrita fuit, dicens quod sibi angelus Domini in specie hominis de extremis finibus mundi mirac et tamen incertae sanctitatis reliquias attulerit, et exinde posset omnia quaecunque a Deo posceret impetrare: et tunc demum—domos multorum penetravit et captivas post se mulierculas duxit oneratas peccatis,—et multitudinem rusticorum seduxit, dicentium quod ipse esset vir apostolicae sanctitatis, et signa atque prodigia faceret. Deinde conduxit Episcopos indoctos qui se contra praecepta canonum absolute ordinaverunt. Tum demum in tantam superbiam elatus est, ut se aequipararet Apostolis Christi. Et designabatur in alicujus honore Apostolorum vel Martyrum ecclesiam consecrare, improperans hominibus etiam, cur tantopere studerent sanctorum Apostolorum limina visitare. Postea, quod absurdum est, in proprii nominis honore dedicavit oratoria, vel, ut verius dicam, sordidavit. Fecit quoque cruciculas et oratoriola in campis, et ad fontes, vel ubicumque sibi visum fuit: et jussit ibi publicas orationes celebrari, donec multitudines populorum, spretis caeteris Episcopis, et dimissis antiquis ecclesiis, in talibus locis conventus celebrarent, dicentes: Merita sancti Adelberti adjuvabunt nos. Ungulas quoque et capillos suos dedit ad honorificandum et portandum cum reliquiis S. Petri principis Apostolorum. Tum demum, quod maximum scelus, et blasphemia contra Deum esse videbatur, fecit. Venienti enim populo et prostrato ante pedes ejus, et cupienti confiteri peccata sua dixit: Scio omnia peccata vestra, qui mihi cognita sunt omnia occulta. Non est opus confiteri, sed dimissa sunt peccata vestra praeterita: securi et absoluti redite ad domos vestras cum pace. Alter autem haereticus, qui dicitur Clemens, contra catholicam contendit ecclesiam, et canones ecclesiarum Christi abnegat et refutat: tractatus et sermones SS. Patrum, Hieronymi, Augustini, Gregorii recusat. Synodalia jura sprenens, proprio sensu affirmat, se post duos filios, in adulterio natos sub nomine Episcopi esse posse christianaе legis Episcopum. Judaismum inducens judicat justum esse Christiano, ut, si voluerit, viduam fratri defuncti accipiat uxorem. Contra fidem quoque SS. Patrum contendit, dicens, quod Christus filius Dei descendens ad inferos omnes, quos inferni carcer detinuit, inde liberavit, credulos et incredulos, laudatores Dei simul et cultores idolorum: et multa alia horribilia de prædestinatione Dei contraria fidei catholicae affirmat. This led to the assembling of a synod at Rome, whose acts are in Mansi, xii. 373. Zachariae P. Epist. iii. ad Bonif. (ed. Serar. Ep. 144, 139, 138, b. Mansi, xii. 321, 334, 336). Walch's Ketzerhist. x. 1. Neander's K. G. iii. iii. Rettberg, i. 314, 324.

¹² Neander's Denkwürdigkeiten, iii. ii. 76.

¹³ Bonifacii Ep. ad Zachariam (ed. Serar. Ep. 132, ed. Würdtw. 51): After complaining that a layman in Rome wished to obtain a dispensation, ut in matrimonium acciperet viduam avunculi sui, quae et ipsa fuit uxor consobrini sui, et ipsa illo vivente discessit ab eo, he continues: Carnales homines, idiotae Alemanni vel Bajoarii vel Franci, si juxta Romanam urbem aliquid facere viderint ex his peccatis, quae nos prohibemus, licitum et concessum a sacerdotibus esse putant, et nobis improprium deputant, sibi scandalum vitiae accipiunt. Sicut affirmant, se vidisse annis singulis in Romana urbe, et juxta ecclesiam in die vel nocte quando, Kalendae Januarii intrant, paganorum consuetudine choros ducere per plateas, et acclamaciones ritu Gentilium, et cantationes sacrilegas celebrare: et mensas illa die vel nocte dapibus onerare: et nullum de domo sua vel ignem

SECOND CHAPTER.

HISTORY OF THE PAPACY.

§ 5.

EXTENSION OF THE PAPAL POWER IN THE WEST, TO THE TIME OF CHARLEMAGNE.

SOURCES: Codex Carolinus in Muratorii Script. rerum Ital. t. iii. P. 2, p. 73, ss., best, besides other original documents, in: Cajet. Cenni Monumenta dominationis pontificiae (Romae. 1760, 61. tom. ii. 4. Comp. Ritter's review in Ernesti's Theol. Bibl. vi. 524. 911) t. i.

François Sabbathier Essai historique-critique sur l'origine de la puissance temporelle des Papes, à la Haye. 1765. 8. J. R. Becker, über den Zeitpunkt der Veränderung in der Oberherrschaft über die Stadt Rom. Lübeck. 1769. 8. Die Karolinger u. die Hierarchy ihrer Zeit, v. J. Ellendorf. 2 Bde. Essen. 1838. 8. Planck's Gesch. d. christl. kirchl. Gesellschaftsverf. Bd. 2, S. 714, ff.

The prohibition of image-worship by the emperor *Leo the Isaurian* (see § 1) was the cause of Rome, under the guidance of the popes,¹ being in a state of rebellion against the emperors,

vel ferramentum vel aliquid commodi vicino suo praestare velle. Dicunt quoque, se vidisse ibi mulieres pagano ritu phylacteria et ligaturas, et in brachiis et cruribus ligatas, habere, et publice ad vendendum venales ad comparandum aliis offere. Quae omnia eo, quod ibi, a carnalibus et insipientibus videntur, nobis hic et impropterum et impedimentum praedicationis et doctrinae perficiunt.—Si istas paganias ibi paternitas vestra in Romana urbe prohibuerit, et sibi mercedem et nobis maximum profectum in doctrina ecclesiastica acqueret. Other traits of liberal thinking against Rome may be seen in Rettberg, i. 413.

¹ Gregory II. from 715-731, Gregory III. † 741, Zachary † 752, Stephanus II. † 757, Paul I. † 767, Constantine II. † 768, Stephanus III. † 772, Hadrian I. † 795, Leo III. † 816, Stephanus IV. † 817, Paschalis I. † 824, Eugenius II. † 827, Valentinus † 827, Gregory IV. † 844, Sergius II. † 847, Leo IV. † 855, Benedict III. † 858. The female pope, Johanna (Johannes Anglicus, or Johann VIII.), who is said to have sat in the chair between Leo IV. and Benedict III., is a later fable. It is disputed when this story first appeared. In some MSS. of the Liber pontificalis it has been interpolated from Martinus Polonus. Kist (Nederlandsch Archief voor kerkelijke Geschiedenis III. 27) has drawn attention to the circumstance that, in two Milan Codd. of it, the texts of the vitae of Leo IV., Benedict III., and Nicolaus I., differ very much from the printed texts, and that the design of preventing the possibility of making a female pope appears to have had an influence in part on the printed texts of these lives. But when, p. 39, he wishes to find in a remark of Muratori's, the text of these MSS. relating to the female pope, he ventures to bring the words of Muratori to allude to the point without sufficient authority. In the older editions of the Chronicles of Marianus Scotus († 1086) and of Sigebertus Gemblacensis († 1113) is found a short passage respecting the female pope, but in the MSS. it is wanting, and was probably inserted at first by the original editors (Monum. Germ. hist. ed. Pertz, Scriptorum, v. 551, vi. 340, 470). Thus there appears to remain, as the first voucher for the fact, a person who

without, however, entirely separating itself from the empire. For they feared the dominion of the Lombards; who, under

has been for the most part overlooked, viz. Stephanus de Borbone, lib. de vii. donis Spir. S. (written about 1225, in Lyons) in J. Quetifii et A. J. Echardi Scriptores Ord. Praedicat. i. 367: Accedit autem, mirabilis audacia, imo insana, circa ann. Dom. MC. [CM?] ut dicitur in chronicis. Quaedam mulier literata, et in arte nōndi (notandi?) edocta, adsumto virili habitu, et virum se fingens, venit Romanum, et tam industria, quam literatura accepta, facta est notarius curiae, post diabolo procurante cardinalis, postea Papa. Haec impregnata cum ascenderet peperit. Quod cum novisset Romana justitia, ligatis pedibus ejus ad pedes equi distracta est extra urbem, et ad dimidiā leucam a populo lapidata, et ubi fuit mortua, ibi fuit sepulta, et super lapidem super ea positum scriptus est versiculus: "Parce pater patrum papissae edere partum." The same story appears in an enlarged form in Martini Poloni († 1278) chron., and here the passage is perhaps genuine, although it is also wanting in several MSS. (Murator. ad Anastas. p. 247; cf. Ptolemaeus Lucensis, about 1312) Hist. eccl. xvi. 8 (in Muratori Scriptt. rer. Ital. xi. 1013): Omnes, quos legi, praeter Martinum, tradunt, post Leonem IV. fuisse Benedictum III. Martinus autem Polonus ponit Johannem Anglicum VIII. Even John XX. († 1227) called himself John XXI. See G. G. Leibnitii flores sparsi in tumulum Papissae (in the Biblioth. hist. Goetting. first part, 1758, p. 297, ss.). p. 330. From this time forward the story was generally believed (comp. the list of writers who repeat it down to the Reformation, in Sagittarii Introd. i. 679) (see Leibnitius, l. c. p. 303–309), the sella stercoraria belonging to her was pointed to (Platina de vitis Pont. no. 106, Leibnit. l. c. p. 335), and statues of her were shown (Mabillon Iter Italicum, p. 157. Leibnit. p. 333): till in the fifteenth century some (Aeneas Sylvius in Ep. 130. Platina, l. c.) doubted, and Jo. Aventinus († 1534) in the Annal. Bojorum, lib. iv., first rejected it. From this time, being denied by the Catholics, it was adopted and defended by self-entangling Protestant polemics, till David Blondell (Question si une femme a été assise en siège papal de Rome entre Léon IV. et Bénoit III. Amsterd. 1649. 8. Joanna Papissa, s. famosae quaestioñis, an foemina ulla inter Leonem IV. et Bened. III. RR. PP. media sederit ἀνάκρισις. Amstelod. 1657. 8), whom Ph. Labbeus (Cenotaphium Jo. Papissae in Diss. de scriptoribus eccl. Paris. 1660. i. 385. ap. Mansi, xv. 38) transcribed, settled the matter, though the female pope was still defended by F. Spanheim (Diss. de Joh. Pap. in Opp. ii. 577, ss., in French, Histoire de la Papesse Jeanne, by J. Lenfant, 1694, second edition by A. des Vignoles, à la Haye. 1720. 2 t. in 12). The copious literature of this topic may be seen in Sagittarii Introd. i. 676, ii. 626. Fabricii Bibl. gr. vol. x. p. 935. At the head of the numerous grounds that lie against the existence of a female pope, stand those from which it is inferred that Benedict III. immediately succeeded Leo IV. 1. Prudentius, bishop of Troyes († 861), author of the part of the Annales Bertiniani that relates to this topic, says ad ann. 855 (Monum. German. hist. ed. Pertz, i. 449): Mense Augusto Leo, apostolicae sedis antistes, defunctus est, eique Benedictus successit: and ad ann. 858 (p. 452): Benedictus Romanus pontifex moritur: Nicolaus substitutur. By these testimonies from a contemporary are also obviated the general doubts raised by Kist (Nederlandsch Archief, iii. 53) against the received chronology of these popes. 2. Hincmar Epist. xxvi. ad Nicolaum I. A. D. 867 (ed. Sirmond. ii. 298): Missos meos cum literis Romam direxi. Quibus in via nuntius venit de obitu P. Leonis. Pervenientes autem Romanum cum praefatis literis, et intervenientibus praedictis Episcopis, Dominus nomine et gratia Benedictus mihi, quod nostis, privilegium inde direxit. 3. Diploma Bened. in confirmationem privilegiorum Corbejae (ap. Mansi, xv. 113, but it was given even by Mabillon de Re diplom. p. 436, much more minutely, from the original) at the conclusion: Scriptum—in mense Octobri indictione quarta. Bene valete. Datum Nonas Octobrias—Imp. Dn.—Aug. Hlothario—anno tricesimo nono, et P. C. (post Consultum) ejustauno xxxix, sed et Hlodovico novo Imp. ejus filio anno vii., ind. quarta. sign. Benedicti Pape (consequently, the 7th Oct. 855. Leo IV. † 17th July, 855. Lotharius † 28th Sept. 855, in Prüm). 4. A Roman denarius, on one side of which is: Hlotharius Imp., on the other, the inscription round it S. Petrus, and in the middle, B. N. E. P. A.

Luitprand (712–744), were only waiting for a favorable opportunity of forthwith extending their sway over Rome and the Exarchate of Ravenna; while the popes had been endeavoring to prevent them by every means in their power.²

It is true that the Greek emperors avenged themselves for this rebellion on the popes, by separating from the latter the provinces of the Greek empire which had been hitherto subject to Rome's ecclesiastical oversight, and stretched out their arm

(Benedictus Papa). See J. Garampi de Nummo argent. Bened. III. P. M. Rom. 1749. 4. Köhler's Münzbelustig. Bd. xx. S. 305. That the people in Rome knew nothing of the female pope, in the middle of the eleventh century, follows. 5. From an Epist. Leonis P. IX. ad Michaelem Constantiop. Patriarch. opist. A. D. 1054, c. 23 (ap. Mansi, xix. 649): Absit autem, ut velimus credere, quod publica fama non dubitat asserere, Constantinopolitanae ecclesiae contigisse, ut enuchos contra primum Nicaenii concilii capitulum passim promovendo, foeminam in sede Pontificum suorum sublimasset aliquando. Hoc tam abominabile scelus, detestabileque facinus etsi enormitas ipsius vel horror fraternaque benevolentia non permittit nos credere, etc. Origin of the fable: according to Baronius ann 869, note 5, a satire on John VIII. ob nimiam ejus animi facilitatem et mollitudinem; according to others, on the dissolute popes John X. (so Aventinus, l. c.), or John XI. or XII (Onuphrius Panvinius in notis ad Platianum); according to Bellarminus de Rom. Pont. iii. 24, transferred from the see of Constantinople to the Roman (cf. Leon. ix. Epist.); according to Leibnitz (l. c. p. 367), true of some one Pontifex (bishop), Joannes Anglicus; according to C. Blasces de Collect. can. Isidor. Merc. cap. xvi. § 2, and Henke (K. G. ii. 23), a satirical representation of the origin of the Pseudo-Isidorian decretals; according to Gfrörer K. G. iii. ii. 978, it also referred, in a reproofing spirit, to a connection which Leo IV. wished to conclude with the Byzantines. According to Schmidt (K. G. iv. 379), it arose from a misrepresentation of the sella stercoraria (respecting it see Mabillon Comm. in ordinem. Rom. in the Museum Ital. t. ii. p. cxxi.). Recently the Genevan, Galiffe Pictet, has declared the female pope to be the honorable widow of Leo IV. (Nederlandsch Archief, iii. 78, 87). But the Romish Jesuit, Secchi, has declared it to be an invention of the schismatic Greeks, particularly of Gregory Asbesta, and Photius! When Prof. Kist, in his treatises on the female pope (Nederl. Archief voor kerk. Geschiedenis, iii. 1, v. 461), endeavors to show that the inquiry on this subject can not yet be considered as finished; he is only correct so far as the occasion and origin of the fable are not yet explained. It is probable that it will never be possible to arrive at certainty respecting them.

² Anastasius in vit. xc. Gregorii: Cognita vero Imperatoris nequitia, omnis Italia consilium initit, ut sibi eligerent Imperatorem, et Constantinopolim ducerent. Sed compescuit tale consilium Pontifex, sperans conversionem Principis—blando omnes sermone, ut bonis in Deum proficerent actibus et in fide persisterent, rogabat. Sed ne desisterent ab amore vel fide Romani Imperii, admonebat. Theophanes, p. 338: Γρηγόριος ὁ Πάπας Τώμης τὸν φόρους Ἰταλίας καὶ Τύρων ἐκάλυψε, et p. 342: Ἀπέστησε Τύρων τε καὶ Ἰταλίαν καὶ πάντα τὰ ἐσπέρια τῆς πολιτικῆς καὶ ἐκκλησιαστικῆς ὑπακοῆς λέοντος καὶ τῆς ἡπ' αὐτὸν βασιλείας. The last passage, which is repeated by all the Byzantine writers, must be corrected and explained by that from Anastasius. Still Baronius ad ann. 730, § 5, follows the Greek writers with the application: Sic dignum posteris idem Gregorius reliquit exemplum, ne in ecclesia Christi regnare sinerentur haeretici principes, si saepe moniti in errore persistere obstinato animo invenirentur. So, too, Bellarminus de Rom. Pont. v. 8: Gregorius Leoni Imp. iconomacho a se excommunicato prohibuit vesticalia solvi ab Italis, et proinde muletavit eum parte imperii. This Ultramontane view, defended even so late as the eighteenth century by A. Sandini, J. S. Assemani, and others, is controverted, particularly by the Gallican Natalis Alexander, L. E. du Pin, J. B. Bossuet, etc. Comp. Walch's Ketzerhist. x. 263.

so far as to confiscate the Roman patrimonies;³ but the popes gained proportionably in the new western kingdoms. At the commencement of this period England was the only one of the countries in the west which was closely united with the popes; and the numerous pilgrimages of the English to Rome caused (A.D. 794) *Offa*, king of Mercia, to erect an English establishment in that city.⁴ But the notions entertained of Peter, heaven's porter, who considered what was done to his successors as done to himself, made a deep impression even out of England, and were therefore unceasingly insisted on by the popes.⁵ *Boniface*, having been invited (743) by *Carloman* and *Pipin* to assist in restoring order to the Frankish Church, which had got into wild confusion under *Charles Martel*, appeared in this new task also as the papal legate,⁶ and thus brought the Frank rulers, as well as the newly-ordered Frankish Church into closer connection with Rome.⁷ Afterward, as archbishop of Mainz, and most

³ *Theophanes*, p. 343, merely mentions the confiscation of the Roman patrimonies in Sicily and Calabria. On the contrary, *Hadrianus P. I. Ep. ad Carol R. de imaginibus*, in fine (*Mansi*, xiii. 808), says that he has reminded the Greek emperors de dioecesi tam Archiepiscoporum quam et Episcoporum sanctae catholicae et apostolicae Romanae Ecclesiae, and prayed for their restitution, quae tunc cum patrimonii nostris abstulerunt, quando sacras imagines deposuerunt. That the vicariat-relation of the bishop of Thessalonica, in particular, was abolished at that time, may be fairly concluded from *Nicolai I. Epist. ad Michael. Imp.* (ap. *Mansi*, xv. 167).

⁴ That it was not *Ina*, King of *Wessex*, 726, but *Offa*, King of Mercia, who introduced Peter's pence, may be seen from *Sprengel*, in the *Allg. Weltgesch. Th.* 47, S. 123.

⁵ Comp. *Div. II. § 133*, note 1. *Gregorii II. Epist. i. ad Leonem Imp.* (ap. *Mansi*, xii. 971): Τὸν ἄγιον Πέτρον αἱ πᾶσαι βασιλεῖαι τῆς δύσεως Θεὸν ἐπίγειον ἔχοντι. Compare the addresses of the popes to the Frankish kings, in which they constantly refer to beatum Petrum clavigerum regni caelorum, or janitorem r. c.; and, in particular, *Claudi locum*, below § 11, note 11.

⁶ *Bonifac. Epist. ad Zachariam P. ed. Serar. 132*: Notem similiter sit paternitati vestrae, quod *Carolomannus*, Dux Francorum, me accersit ad se rogavit, ut in parte regni Francorum, quae in sua est potestate, synodum facerem congregari: et promisit, se de ecclesiastica religione, quae jam longo tempore, i. e., non minus quam per lx. vel. lxx. annos calcata et dissipata fuit, aliquid corrigere et emendare velle. Quapropter si hoc, Deo inspirante, veracriter implere voluerit, consilium et praeceptum vestrae auctoritatis, i. e., apostolicae habere et sapere debeo.

⁷ At first not without doubts and scruples on the part of many Frankish bishops. Thus Boniface wished even to send pallia to the new metropolitans of *Rheims*, *Rouen*, and *Sens* (743). *Zacharias* was ready at once (*Op. ad Bonif. in Bonif. Epp. 144. Mansi*, xii. 321): Qualiter mos pallii sit, vel quomodo fidem suam exponere debeant hi, qui pallio uti conceduntur, eis direximus. But soon after two drew back, and *Zacharias* asks Boniface with surprise about the original cause (*Bonif. Epp. 143. Mansi*, xii. 324), quod antea nobis una cum memoratis principibus Galliarum pro tribus palliis suggestisti, et postea pro solo *Grimone* (Archbp. of *Rouen*). In the mean time, 748, *Zachariae Ep. ad diversos Episc. Galliae et Germaniae*, particularly to the bishops of *Rouen*, *Beauvais*, *Noyon*, *Tongern*, *Sgeyer*, *Terouanne*, *Cambray*, *Würzburg*, *Laon*, *Meaux*, *Cöln*, and *Strassburg*

distinguished bishop of the kingdom, his efforts were constantly directed to the establishment of the papal authority in this country also. When therefore Pipin wished for *the title* as well as *the power* of king, and needed a priestly declaration that this transference of loyalty was consonant with the divine laws, partly in order to obviate the conscientious scruples of the Franks,⁸ and partly not to render insecure all succeeding oaths of allegiance by one act of perjury ; he could only seek for this sanction from the pope, as the acknowledged high priest ; and Zacharias, by his ready consent (752),⁹ laid the new kings

(Mansi, xii. 344) : *Gaudeo in vobis, charissimi, quoniam fides vestra, et unitas erga nos pretiosa est et manifesta—dum ad fautorem et magistrum vestrum a Deo constitutum beatum Apostolorum principem Petrum benignissimam voluntate conversi estis.—Et nunc Deo cooperante est aggregata Sanctitas vestra nostrae societati in uno pastorali ovili, etc.*

⁸ How firmly and truly the Franks adhered to the Merovingian kingly race may be seen from Löbell's *Gregorius von Tours*, S. 220. It was natural for Pipin to wish that this loyalty should be transferred to his family.

⁹ Respecting this are the accounts of contemporaries : the author of the Appendix to *Fredegarii Chron.* concludes with this occurrence, and probably wrote immediately after (Bouquet, ii. 460) : *Quo tempore una cum consilio et consensu omnium Francorum, missa relatione a sede apostolica auctoritate percepta, praecelsus Pippinus electione totius Franciae in sedem regni cum consecratione Episcoporum et subjectione Principum una cum Regina Bertradane, ut antiquitus ordo depositit, sublimatur in regno.* The conclusion which a copyist has attributed to him from a Codex of Gregor. *Turin. de Gloria confessorum* in the year 767, transcribed by the former (Bouquet, v. 9) : *Pippinus, Rex pius, per auctoritatem et imperium sanctae recordationis domini Zachariae Papae, et unctionem sancti chrismatis per manus beatorum sacerdotum Galliarum, et electionem omnium Francorum—in regni solio sublimatus est.* Postea (754 in St. Denys) per manus ejusdem Stephani pontificis—in Regem et Patricium, una cum praedictis filiis Carolo et Carolmanno in nomine sanctae Trinitatis unctus et benedictus est.—Pontifex—Francorum principes benedictione et Spiritus sancti gratia confirmavit, et tali omnes interdictu et excommunicationis lege constrinxit, ut numquam de alterius lumbis Regem in aevo praesumant eligere sed ex ipsorum, quos et divina pietas exaltare dignata est, et sanctorum Apostolorum intercessionibus per manus vicarii ipsorum beatissimi Pontificis confirmare et consecrare dispositus. The *Annales Laurissenses*, written in the first years of Charlemagne, ad ann. 749 [751] (Pertzii Monum. Germaniae hist. i. 136) : *Burghardus Wirzburgensis Episcopus et Folradus Capellanus missi fuerunt ad Zacharium Papam, interrogando de Regibus in Francia, qui illis temporibus non habentes regalem potestatem, si bene fuisset, an non. Et Zacharias Papa mandavit Pippino, ut melius esset illum Regem vocari, qui potestatem haberet, quam illum, qui sine regali potestate manebat; ut non conturbaretur ordo, per auctoritatem apostolicam jussit Pippinum Regem fieri.* Ad ann. 750 [752] : *Pippinus secundum morem Francorum electus est ad Regem, et unctus per manum sanctae memoriae Bonifacii Archiepiscopi* (denied by Le Cointe, Eckhart, and Rettberg K. G. Deutschl. i. 380), *et elevatus a Francis in regno in Suessionis civitate.* Hildericus vero, qui false Rex vocabatur, tonsoratus est et in monasterium missus. A later ultramontane view, *Gregorii VII. (in Gratiani Decret. P. ii. causa xv. qu. vi. c. 3)* : *Alius etiam Romanus Pontifex, Zacharias scilicet, Regem Francorum, non tam pro suis iniquitatibus, quam pro eo, quod tantae potestati erat inutilis, a regno depositus; et Pippinum, Caroli magni Imp. patrem, in ejus locum substituit, omnesque Francigenas a jureamento fidelitatis, quod illi fecerant, absolvit.* Cf. J. Gu. Löbell Disp. de causis regni Francorum a Merovingis ad Carolingos translati. Bonnae. 1844. 4.

under an obligation to render still more important services to Rome.

When the Lombard king, *Aistulph* (752) had already overrun the Exarchate, and threatened Rome, *Stephen II.* flew to Pipin for aid.¹⁰ This was readily granted, and in two campaigns (754 and 755) the Lombards were compelled to give up all they had taken. Pipin himself assumed the Patriciate of Rome,¹¹ and made the Pope *Patricius* of the Exarchate,¹² both, however, tacitly acknowledging the supremacy of the Greek empire. It now became a part of the papal policy to prevent all friendly connection between the Lombards, whom they still feared, and the Franks;¹³ in which design they succeeded so

¹⁰ *Anastasius in vit. xciv. Stephani II.: Cemens ab imperiali potentia nullum esse subveniendi auxilium, tunc quemadmodum praedecessores ejus beatae memoriae dominus Gregorius, et Gregorius alias, et dominus Zacharias, beatissimi Pontifices, Carolo, excellentissimae memoriae, Regi Francorum, direxerunt, petentes sibi subveniri propter oppressiones ac invasiones, quas et ipsi in hac Romanorum provincia a nefanda Longobardorum gente perpessi sunt: ita modo et ipse—clam per quendam peregrinum suas misit literas Pippino, etc.* Comp. the pope's address between the first and second campaigns. Cod. Carol. no. iii. iv. vi. vii. especially no. iii. : *Ego Petrus Apostolus—qui vos adoptivos habeo filios, ad defendendum de manibus adversariorum hanc Romanam civitatem et populum mihi a Deo commissum, sed et domum, ubi secundum carnem requiesco, de contaminatione gentium eruendam, vestram omnium dilectionem provocans adhortor, et ad liberandam Ecclesiam Dei mihi a divina potentia commendatam omnino protestans admoneo.—Sed et domina nostra, Dei genitrix semper virgo Maria, nobiscum vos magnis obligationibus adjurans protestatur, atque admonet et jubet, sicut simul etiam throni atque dominationes, et cunctus caelestis militiae exercitus, nec non et martyres atque confessores Christi et omnes omnino Deo placentes, et hi nobiscum adhortantes et conjurantes protestantur, etc.* *Praestate ergo populo meo Romano, mihi a Deo commisso—praesidia totis vestris viribus, ut ego Petrus vocatus Dei Apostolus, in hac vita, et in die futuri examinis vobis alterna impendens patrocinia, in regno Dei lucidissima ac paeclarata vobis praeparetaberis tabernacula, atque praemia aeternae retributionis, et infinita paradisi gaudia vobis pollicens adinvicem tribuam.—Non separemini a populo meo Romano: sic non sitis alieni aut separati a regno Dei, et vita aeterna.* Quidquid enim poscetis a me, subveniam vobis videlicet, et patrocinium impendam.—Si autem, quod non credimus, et aliquum posueritis moram;—sciatis vos ex auctoritate sanctae et unicae Trinitatis per gratiam apostolatus, quae data est mihi a Christo Domino, vos alienari pro transgressione nostrae adhortationis a regno Dei et vita aeterna.

¹¹ The patriciate was a dignity established by Constantine the Great, the highest after the imperial, which was bestowed for life, and was capable of being united with different offices. *Patricius Romae* was properly governor of Rome, who at the same time possessed the authority of a *Patricius*. Before this time German kings had received the title of a consul or *Patricius* from emperors (Eichhorn's deutsche Rechtsgesch. i. 170). Pipin received it from Stephen as representative of the Roman people. See the appendix to Gregor. Tur. note 9.

¹² *Anastasius in vit. Stephani II.* Comp. Savigny's Gesch. des röm. Rechts im Mittelalter, Bd. i. (2te Ausg. Heidelberg. 1834) S. 357. Pertz in the Monum. iv. ii. 7. Gfrörer's K. G. iii. ii. 571. Hence Hadrianus ad Carol. M. (Cod. Car. no. 85, ed. Cenni, p. 521) A.D. 790, contrasts the *Patriciatus b. Petri* with the *Patriciatus Caroli*.

¹³ Comp. Stephani III. Ep. ad Carolum et Carolomanum respecting a marriage pro

well, that when new inroads were made by the Lombards under *Desiderius*, *Charlemagne* having been summoned to his assistance by *Hadrian I.*, appeared immediately in order to destroy the kingdom of the Lombards (774). After Charles had confirmed and enlarged the grants made by Pipin,¹⁴ he exercised in Italy all imperial rights,¹⁵ even in ecclesiastical matters,¹⁶ till at

jected between the two royal families, A.D. 770, in the Cod. Carol. no. 45: Quod certe si ita est, haec propria diabolica est immissio, et non tam matrimonii conjunctio, sed consortium nequissimae adinventionis esse videtur.—Quae est enim, praecellentissimi filii, magni Reges, talis desipientia, ut penitus vel dici liceat, quod vestra praeclara Francorum gens, quae super omnes gentes emitet, et tam splendiflu ac nobilissima regalis vestræ potentiae proles, perfida, quod absit, ac foetentissima Langobardorum gente polluatur, quae in numero gentium nequaquam computatur, de cujus natione et leprosorum genus oriri certum est?—Quapropter et b. Petrus, princeps Apostolorum, cui regni caelorum claves a Domino Deo traditae sunt et caelo ac terra ligandi solvendique concessa est potestas, firmare Excellentiam vestram per nostram infelicitatem obtestatur,—ut nullo modo quisquam de vestra fraternitate præsumat filium jam dicti Desiderii, Langobardorum Regis, in conjugium accipere, nec iterum vestra nobilissima germana, Deo amabilis Gisila, tribuatur filio saepe fati Desiderii.—Præsentem itaque nostram exhortationem atque adjurationem in confessione b. Petri ponentes, et sacrificium super eam atque hostias Deo nostro offerentes, vobis cum lacrymis ex eadem sacra confessione direximus. Et si quis, quod non optamus, contra hujusmodi nostræ adjurationis atque exhortationis seriem agere præsumerit, sciat, se auctoritate Domini mei b. Petri, Apostolorum principis, anathematis vinculo esse innodatum et a regno Dei alienum, atque cum diabolo et ejus atrocissimis pompis, et ceteris impiis, aeternis incendiis concremandum deputatum. At vero qui observator et custos istius nostræ exhortationis exstiterit, caelestibus benedictionibus a Domino Deo nostro illustratus, aeternis præmiorum gaudiis, cum omnibus Sanctis et electis Dei particeps effici mereatur. Still Charlemagne married Desideria, though he put her away a year after.

¹⁴ Anastasius in vita Hadriani I. Pertz in the Monum. iv. ii. 8.

¹⁵ Gfrörer's K. G. iii. ii. 581.

¹⁶ In the disputes about investiture, it was asserted by the imperial party that these ecclesiastical rights had been formally bestowed on King Charles by the Pope and a Roman synod. They referred to Leonis P. VIII. privilegium, given in 963 to the emperor Otto in Pertz Monum. vi. ii. 166): B. Hadrianus—domno Carolo, victoriosissimo Regi Francorum ac Longobardorum, ac Patricio Romanorum, ac ordinationem apostolicae sedis et episcopatum concessit. This document, however, is probably spurious. See Pertz, l. c. Dönniges Jahrbücher des deutschen Reiches unter Otto I. (Berlin. 1839) S. 102. More copious accounts are found in several works belonging to the end of the eleventh and beginning of the twelfth century. So in the Collectio cann. tripartita, written in the time of Urban II., and in Ivo's decree (in Pertz Monum. iv. ii. 160, note): after Desiderius was taken captive, Carolus Romam reversus, constituit ibi synodus cum Adriano Papa.—Adrianus autem Papa cum universa synodo traxiderunt Carolo jus et potestatem eligendi Pontificem et ordinandi apostolicam sedem, dignitatem quoque Patriciatus ei concederunt. Insuper Archiepiscopos, Episcopos per singulas provincias ab eo investituram accipero diffinirent, et ut, nisi a Rege laudetur et investiatur Episcopus, a nemine consecretur. Et quicunque contra hoc decretum esset, anathematis eum vinculo innodaverunt, et nisi resipisceret, bona ejus publicari præceperunt. This account was also inserted in the Chronicle of Siegbert of Gemblours in the monastery of Anchin at Douay, 1113 (Pertz Monum. scriptt. vi. 393. Hence poor Siegbert was accused by Baronius, ann. 774, no. 10, of a deceitful fabrication. Pagi, however, critt. iii. 343, perceived that this passage was interpolated by others). The same account also appears in somewhat different words in a treatise composed A.D. 1109, at Naumburg by the bishop Waltram, or the abbott Conrad

length the very appearance of the supremacy of the Greek emperor vanished,¹⁷ so that Charles (*novus Constantinus*)¹⁸ received the West-Roman imperial crown from the hands of Leo III. (25th Dec. 800).¹⁹ The Pope, assuming all the rights of the former Exarch, began to exercise the patriciate of Rome also. Rome itself continued an imperial city,²⁰ the popes were obliged to swear fidelity to the emperor, acknowledging him as their lord and judge;²¹ though the papal dignity was held to be

(Tüb. theol. Quartalschr. 1838, S. 348), de investitura Episcoporum (in Schardii Syntagma tractatum de imperiali jurisdictione, p. 72, and in the Tübingen theol. Quartalschr. 1837, S. 187). The truth of the case is, that Charles now began to exercise in Italy also, in the capacity of governor-general of the country, the same rights which he had always exercised in the empire of the Franks. It was not till a later time that the opinion was entertained that these rights must have been established by papal concessions; though Charles had not to receive privileges from the pope, but the pope from him.

¹⁷ That they were still acknowledged as late as 785 is proved by Hadriani P. Ep. ad Constantimum et Irenen (in Actis Conc. Nic. ii. Actio iii. ap. Mansi, xii. 1056).

¹⁸ Hadriani P. I. Ep. ad Carolum A.D. 777 (Cod. Carol. no. 49): *Et sicut temporibus b. Sylvestri Rom. Pont. a sanctae recordationis piissimo Constantino M. Imperatore per ejus largitatem sancta Dei catholica et apostolica Romana ecclesia elevata atque exaltata est, et potestatem in his Hesperiae partibus largiri dignatus est: ita et in his vestris felicissimis temporibus atque nostris S. Dei Ecclesia, i. e., b. Petri Apostoli, germinet atque exsultet:—quia ecce novus christianissimus Dei Constantinus Imperator his temporibus surrexit, per quem omnia Deus sanctae suae Ecclesia bb. Apostolorum principis Petri largiri dignatus est. Sed et cuncta alia, quae per diversos Imperatores Patricios etiam et alios Deum timentes, pro eorum animae mercede et venia delictorum—b. Petro Apostolo —concessa sunt, et per nefandam gentem Langobardorum per annorum spatia, abstracta atque ablata sunt, vestris temporibus restituantur. Unde et plures donationes in sacro nostro serinio Lateranensi recouditas habemus, etc.* Many find here a reference to the Donatio Constantini M., namely, *de Marca de Conc. Sac. de et Imp. lib. iii. c. 12* (according to whom it was forged, A.D. 767, jussu Romanorum Pontiff. pia quadam industria). On the contrary, it is shown by Cenni Monum. domin. Pontiff. i. 304, that Hadrian had here before his eyes only the Acta Sylvestri, to which he also refers in the Ep. ad. Constantimum et Irenen (in the Actis Conc. Nic. ii. Act. ii. ap. Mansi, xiii. 529), and which first served for the basis of the later Donatio Constantini. Probably, too, the expression in the prominent treatise, viz. potestatem in his Hesperiae partibus largiri dignatus est had also an influence on the later forgery.

¹⁹ Annales Laurissenses ad ann. 801: *Ipsa die sacratissima natalis Domini cum Rex ad Missam ante confessionem b. Petri Apostoli ab oratione surgeret, Leo P. coronam capiti ejus imposuit, et a cuncto Romanorum populo acclamatum est: Karolo Augusto a Deo coronato magno et pacifico Imperatori Romanorum, vita et victoria! Et post Laudes ab Apostolico more antiquorum principum adoratus est, atque ablato Patricii nomine. Imperator et Augustus est appellatus.* Alcuin's Leben, von D. F. Lorentz. Halle. 1829, S. 218, ff.

²⁰ In Charlemagne's will (*vita Car. M. per Einhardum*, c. 33) stand the nomina metropolium civitatum: Roma, Ravenna, Mediolanum, etc.

²¹ Comp. Caroli M. Ep. ad Leonem III. P. (Alcuini Epist. 84. Mansi, xiii. 980) referring to his entering on the episcopal see, A.D. 795: *Perlectis Excellentiae vestrae litteris, et audita decretali chartula, valde, ut fateor, gavisi sumus, seu in electionis unanimitate, seu in humilitatis vestrae obedientia, et in promissionis ad nos fidelitate.—Sicut enim cum beatissimo praedecessore vestrae sanctae paternitatis pactum inii. sic cum beatitudine vestra ejusdem fidei et caritatis inviolabile foedus statuere desidero.—Nostrum est secun-*

superior to all ecclesiastical courts,²² and the first in the world.²³

§ 6.

PROGRESS OF THE PAPAL POWER AFTER CHARLEMAGNE.

The immediate successors, too, of Charlemagne maintained their civil lordly rights over Rome¹ and the Pope.² But the

dum auxilium divinae pietatis, sanctam ubique Christi Ecclesiam ab incursu paganorum, et ab infidelium devastatione armis defendere foris et intus catholicac fidei agnitione munire. Vestrum est, sanctissime pater, elevatis ad Deum cum Moyse manibus, nostram adjuvare militiam, quatenus vobis intercedentibus, Deo ductore et datore, populus christianus super inimicos sui sancti nominis ubique semper habeat victoriam, et nomen Domini nostri Jesu Christi toto clarificetur in orbe. Vestrae vero auctoritatis prudentia canones ubique sequatur; quatenus totius sanctitatis exempla omnibus evidenter in vestra fulgeant conversatione, et sanctae admonitionis exhortatio audiatur ab ore; quatenus sic luceat lux vestra coram hominibus, ut videant opera vestra bona, et glorificent Patrem vestrum qui in caelis est (Matth. v. 16). The abbot Angilbert, who had to convey this letter to the pope, he at the same time charges (Caroli Ep. ad Angilb. ap. Mansi, xiii. 981): Domnum apostolicum Papam nostrum admoneas diligenter de omni honestate vitae suae, et praecipue de sanctorum observatione canonum, de pia sanctae Dei Ecclesiae gubernatione.—Ingerasque ei saepius, quam paucorum honor ille, quem praesentialiter habet, annorum, quam multorum est perpetualiter merces, quaedatur bene laboranti in eo. Et de simoniaca subvertendo haeresi diligentissime suadeas illi, quae sanctum ecclesiae corpus multis male maculat in locis. Et quidquid mente tenes saepius querelis agitasse inter nos. On the oath to be taken by the popes to the emperor, see below § 6, notes 4 and 5. Baluzius in notis ad Agobardum, ii. 122. Ejusd. praef. in Capitularia, § 21, ss. On the Missi dominici in Rome, see Muratori Antiqu. Ital. medii aevi diss. ix. tom. i. p. 455, ss. Ch. G. F. Walchii Diss. hist. de missis dominicis Pontificis Rom. judicibus. Jenae. 1749. 4.

²² When, A.D. 800, Leo III. had been maltreated and fled to Charlemagne, and when many accusations were brought against him, the emperor assembled a synod in St. Peter's Church to examine the case. This synod, however, declared: Nos sedem apostolicam, quae est caput omnium Dei Ecclesiarum, judicare non audemus. Nam ab ipsa nos omnes, et Vicario suo judicamus, ipsa autem a nemine judicatur, quemadmodum et antiquitus mos fuit. And Leo spontaneously cleared himself by an oath, Anastasius in vita Leonis III. On the origin of that view, see Vol. I. Div. II. § 117, notes 14, 15.

²³ The relations of that time are plainly described by Alcuinus Epist. 80 (ed. Froben.) ad Carolum R. A.D. 799: Tres Personae in mundo altissimae hucusque fuerunt: apostolica sublimitas, quae b. Petri principis Apostolorum sedem vicario munere regere solet.—Alia est imperialis dignitas, et secundae Romae secularis potentia.—Tertia est regalis dignitas, in qua vos Domini nostri J. C. dispensatio rectorem populi christiani dispositus, caeteris praefatis dignitatibus potentia excellentiore, sapientia clariorem, regni dignitate sublimiore. Ecce in te solo tota salus Ecclesiarum Christi inclinata recumbit. Tu index scelerum, tu rector errantium, tu consolator moerentium, tu exaltatio bonorum, etc.

¹ The Act of Lewis the Debonaire (in Pertz Monum. iv. ii. 6), in which he, among other things, makes a present of the civitatem Romanam cum ducatu suo et surburbanis, etc., also to the pope was interpolated in the eleventh century; cf. Ch. G. F. Walch Censura diplomatis, quod Ludov. P. Paschali I. concessisse fertur. Lips. 1749, also in Pottii Sylloge comm. theoll. vi. 278, and Pertz, l. c.

² Examples: An inquiry instituted against Leo III., who had executed some Romans. See Vita Ludov. Pii per Astronomum, c. 25 ap. Pertz, ii. 619.—Stephanus IV. statim post-

natural effect of their situation was to inspire the popes with the desire of bringing their power into some proportion with the honor assigned them; the aversion of the Romans to the rule of the barbarous Franks aided them in this; and it needed only weak and disunited princes to insure success to their efforts. Traces of such an endeavor were exhibited even under the government of Lewis the Debonaire.³ Though *Eugenius II.*, in addition to the Romans, had been expressly reminded by the Emperor Lothar (824) of his allegiance,⁴ yet *Gregory IV.*, at the rebellion of the sons of Lewis (833), appeared willing to

quam pontificatum suscepit, jussit omnem populum Romanum fidelitatem cum juramento promittere Hludowico (Theganus de Gestis Ludov. P. c. 16, ib. p. 594), and when he traveled to the emperor, praemisit legionem, quae super ordinatione ejus Imperatori satisfaceret. (Astronomus, c. 26).—When Lothar was crowned in Rome (823) the abbot of the monastery Farfa complained to him, suum monasterium ablata pristine libertate sub tributo ac pensione a Romanis Pontificibus constrictum, multasque possessiones eidem monasterio violenter ablatas. The result of the inquiry was, quod praedictum monasterium nullatenus sub jure et dominatione praefatae Romanae Ecclesiae, vel sub tributo et pensione esse deberet, and Paschalis I. was obliged to restore omnes res, quas ex eodem monasterio potestas antecessorum ejusdem injuste abstulerat. See the diploma Lotharii in the *Chronicon Farfense* in *Muratorii Scriptt. rer. Ital. ii. ii. 386.*

³ Astronomus, c. 37: Sub hoc tempore [ann. 823] perlatum est Imperatori, Theodorum Primicerium S. Ecclesiae Romanae et Leonem Nomenclatorem luminibus privatos, ac deinde decollatos in domo episcopali Lateranensi. Invidia porro interfectoribus inurebatur, eo quod diceretur, ob fidelitatem Lotharii eos, qui interficti sunt, talia fuisse perppersos. In qua re fama quoque Pontificis laedebatur, dum ejus consensui totum adscriberetur. Missi were sent to Rome and Paschalis P. ab interfectorum nece se cum plurimis Episcoporum sacramenta purgavit.

* Astronomus, c. 38: Immediately after *Eugenius II.* ascended the episcopal throne (824), Lotharius comes to Rome, cumque de his, quac accesserant, quereretur, quare scilicet hi, qui Imperatori sibique et Francis fideles fuerant, iniqua nece peremti fuerint, et qui superviverent ludibrio reliquis haberentur: quare etiam tantae querelae adversus Romanorum Pontifices judicesque sonarent; repertum est, quod quorundam Pontificum vel ignorantia vel desidia, sed et judicum caeca et inexplicibili cupiditate, multorum praedia injuste fuerint confiscata. Ideoque reddendo quae injuste sublata erant, Lotharius magnam populo Romano creavit laetitiam. Statutum etiam juxta antiquum morem, ut ex latere Imperatoris mitterentur, qui judicariam exercentes potestatem, justitiam omni populo, tempore quo visum foret Imperatori, aequa lance penderent. The *Constitutio Romana*, by which Lotharius at that time restored order in Rome, may be seen in *Pertz Monum. iii. 239.* At that time clergy and people were obliged even to swear anew, *Continuator supplementi Longobardicorum Pauli Diac. ap. Bouquet, vi. 173*: Et hoc est juramentum, quod Romano clero et populo ipse (Lotharius) et *Eugenius P.* facere imperavit: Promitto ego ille per Deum omnipotentem et per ista sacra iv. Evangelia, et per hanc crucem D. N. J. C. et per corpus beatissimi Petri principis Apostolorum, quod ab hac die in futurum fidelis ero dominis nostris Imperatoribus Hludowico et Hlothario diebus vitae meae, juxta vires et intellectum meum, sine fraude atque malo ingenio, salva fide, quam repromisi domino Apostolico: et quod non consentiam, ut aliter in hac sede Romana fiat electio Pontificis nisi canonice et juste, secundum vires et intellectum meum: et ille qui electus fuerit, me conscientie, consecratus Pontifex non fiat, priusquam tale sacramentum faciat in praesentia Missi domini Imperatoris et populi, cum juramento, quale dominus *Eugenius Papa* sponte pro conservatione omnium factum habet per scriptum.

interfere as a superior mediator in their favor.⁵ But he was withheld in the attempt. By the treaty of *Verdun* (843) the popes received in the Emperor *Lothar* a less powerful master, who besides was frequently employed out of Italy, while Rome was often threatened by the invasions of the Saracens now commencing. Thus attempts could now be made to avoid the legal sanction of the emperor at the election of popes.⁶ At the choosing of *Sergius II.* (844) this neglect of the imperial authority was indeed blamed,⁷ but yet it was repeated at that of *Leo IV.* (847).⁸ This pope even manifested an ambitious design, by

⁵ *Astronomus*, c. 48. When it was reported of Gregory, who was in the camp of the sons, quod ideo adesset, ut tam Imperatorem quam Episcopos excommunicationis irretire vellet vinculis, si qui inobedientes essent suae filiorumque Imperatoris voluntati: parum quid subripuit Episcopis Imperatoris praesumptionis audaciae, asserentibus nullo modo se velle ejus auctoritati succumbere: sed si excommunicans adveniret, excommunicatus abiret: cum aliter se habeat antiquorum auctoritas Canonum. *Paschasius Radbertus* in *vita Walae Abb.* lib. ii. (in *Pertz Monum.* ii. 562) says of the bishops on Lewis's side: *Insuper consiliabantur firmantes, proh dolor, quod eundem Apostolicum, quia, non vocatus venerat, deponere deberent.*—Quibus auditis Pontifex plurimum mirabatur ac verebatur. Unde et ei dedimus (the bishops and monks of Lothar's party) nonnulla SS. Patrum auctoritate firmata, praedecessorumque suorum conscripta, quibus nullus contradicere possit, quod ejus esset potestas, immo Dei et b. Petri Apostoli, suaque auctoritas, ire mittere ad omnes gentes pro fide Christi et pace Ecclesiarum, pro praedicatione Evangelii et adseritione veritatis, et in eo esset omnis auctoritas b. Petri excellens, et potestas viva; a qua oporteret universos judicari, ita ut ipse a nemine judicandus esset (comp. § 5, note 22). Quibus profecto gratauerit acceptis valde confortatus est. Agobard, though on the pope's side, yet writes to Lewis, de comparatione utriusque regiminis, c. 4: Certe, clementissime domine, si nunc Gregorius Papa irrationabiliter et ad pugnandum venit, merito et pugnatus et repulsus recedet. Si autem pro quiete et pace populi et vestra labore nititur, bene et rationabiliter obtemperandum est illi, non repugnandum.—*Gregorii Ep. ad Episcop. regni Francorum* (ap. *Mansi*, xiv. 521, a reply to a writing of Lewis's bishops, which is now lost): Bene autem subjungitis, memorem me esse debere jurisjurandi causa fidei facti Imperatori. Quod si feci, in hoc volo vitare perjurium, si annuntiavere ei omnia, quae contra unitatem et pacem Ecclesiae et regni committit: quod si non fecero, perjurus ero, sicut et vos, si tamen juravi. *Hincmar Epist.* 41, ad *Hadrianum II.*: Et quomodo Gregorius, subreptus cum Lothario patri suo repugnante in Franciam venit, et pax postea in Francia ut antea non fuit, et ipse Papa cum tali honore, sicut decuerat, et sui antecessores fecerunt, Romam non rediit.

⁶ See above, note 4. So still in *Gregory IV. Einhardi Annales* ann. 827: Gregorius—electus, sed non prius ordinatus est, quam legatus Imperatoris Romam venit, et electionem populi, qualis esset, examinavit.

⁷ *Prudentii Trecensis Ann.* (or *Ann. Bertiniani*) ann. 844: Quo (Sergio) in sede apostolica ordinato, Lotharius filium suum Hludovicum Romam cum Drogone, Mediomaticorum Episcopo, dirigit, acturos, ne deinceps decadente Apostolico quisquam illic praeter sui iussionem missorumque suorum praesentiam ordinetur antistes. Qui Romam venientes, honorifice suscepti sunt, etc. *Anastasius Bibl. in vita Sergii*: Tunc demum in eadem Ecclesia (S. Petri) sedentes pariter tam beatissimus Pontifex, quam magnus Rex, et omnes Archiepiscopi atque Episcopi—fidelitatem Lothario magno Imperatori semper Augusto promiserunt.

⁸ When Rome was just threatened by the Saracens (*Anastasius in vita cv. Leonis IV.*): Romani—novi electione Pontificis congaudentes, cooperant iterum non mediocriter con-

means of new forms which he had inserted in the writing addressed to the princes,⁹ though he still saw himself under the necessity of giving valid assurances of his allegiance,¹⁰ perhaps in consequence of the examination of a conspiracy which was alleged to have been projected at Rome.¹¹ Hence, at the election of *Benedict III.* (855) they did not venture to proceed again without the emperor's sanction.¹² But inasmuch as the Carlovingian princes, generally, with the full consciousness of mastery over their clergy, allowed themselves to be misled into the practice of yielding up to them even rights over themselves, with the view of employing them as an instrument so much the more powerful in their hands; inasmuch as they allowed themselves, by turns, to be deposed by their bishops,¹³ and then again thought

tristari, eo quod sine imperiali non audebant auctoritate futurum consecrare Pontificem, periculumque Romanae urbis maxime metuebant, ne iterum, ut olim, aliis ab hostibus fuisset obsessa. Hoc timore et futuro casu perterriti, cum sine permisso Principis Praesulm consecraverunt, fidem quoque illius, sive honorem post Deum per omnia et in omnibus conservantes.

⁹ He first put his name before the names of the princes, and avoided the appellation Dominus, hitherto used toward them Cf. Garnerius ad Libr. diurnum Pontiff. Rom. p. 151.

¹⁰ Anastasius in vita Leonis IV. in fine: A Roman leader, Daniel, complained of another, Gratian, before the Emperor Lewis, that he had said privately to him: *Franci nihil nobis boni faciunt, neque adjutorium praebent, sed magis quae nostra sunt violenter tollunt. Quare non advocamus Graecos, et cum eis foedus pacis componentes Francorum Regem et gentem de nostro regno et dominatione expellimus?* The emperor, immenso furore accensus, hastened to Rome, instituted an inquiry, but found the accusation groundless. It had been, however, calculated from probability, and may lead us to infer what was the general voice in Rome.

¹¹ Leo IV. ad Ludov. Imp. (so according to Pius II. in d'Archery Spicileg. iii. 811) in Gratiani Decreto, P. ii. c. 2, qu. 7, c. 41: *Nos si incompetenter aliquid egimus, et in subditis justae legis tramitem non conservavimus, vestro ac Missorum vestrorum cuncta volumus emendare judicio.* Leo IV. Lothario Augusto (ap. Gratianus, P. i. dist. x. c. 9): *De capitulis vel praeceptis imperialibus vestrīs, vestrorumque (pontificum) praedecessorū irrefragabiliter custodiendis et conservandis, quantum valuimus et valemus Christo proptio, et nunc, et in aeternum nos conservaturos modis omnibus profitemur.* Et si fortasse quilibet alter vobis dixerit vel dicturus fuerit, sciatis eum pro certo mendacem. On this document see Baluzii praef. ad t. i. Capitularium, § 21, ss. On the interpolation pontificum see Antonii Augustini de emendatione Gratiani, lib. i. dial. 19.

¹² Anastas. in vita Benedictii III.: *Clerus et cuncti proceres decretum (electionis) componentes propriis manibus roboraverunt, et, consuetudo prisca ut poscit, invictissimis Lothario ac Ludovico destinaverunt Augustis. Imperial Missi appeared, and were introduced with solemnity, and in their presence finally Benedict was consecrated.*

¹³ The Concil. Paris. ann. 829, in an epistle to the emperors Lewis and Lothar, lib. iii. c. 8 (Mansi, xiv. 597), first asserts that bishops are the judges of kings: *Petimus humiliter vestrā Excellentiam, ut per vos filii et proceres vestri nomen, potestatem, vigorem et dignitatem sacerdotalem cognoscant.*—*Illud etiam ad exemplum eis reducendum est, quod in ecclesiastica historia (Rufini, x. 2) Constantinus Imp. Episcopis ait Deus, inquit, constituit vos sacerdotes, et potestatem vobis dedit de nobis quoque judicandi: et ideo nos a vobis recte judicamur; vos autem non potestis ab hominibus judicari, caet.* This doctrine was first brought into life by the Synod of Compiegne (833), by which the sons of Lewis

they could make their authority inviolable, by episcopal unction;¹⁴ so also the emperors believed that they could place themselves in a secure position if they derived a peculiar divine right in their favor from papal unction, and by this means established the dangerous opinion that the imperial dignity was communicated by the pope.¹⁵

caused their father to be condemned to do public penance (*Conventus Compendiensis*, ap. Mansi, xiv. 647. Pertz, iii. 365), for the purpose of making him unfit to reign (*Capitull. lib. vi. c. 338*: *Quod ad militiam saecularem post poenitentiam redire nemo debeat*). Afterward a council at Aix-la-Chapelle, 842, deposed the emperor (Nithard *Histor. iv. 1*, in Pertz, ii. 668). When Lewis the German, 858, had invaded the kingdom of Charles the Bold, he procured a decree approving of his conquest, from a council at Attigny, under Archbishop Wenilo of Sens. When afterward he was overpowered by Charles, the latter caused him to be brought to penitence by his bishops; but he would not declare his sentiments till he had asked his bishops, *quia, Deo gratias, nihil sine illorum consilio feci* (*legatio Episcoporum ap. Baronius, ann. 859, no. 6*. Pertz, iii. 458). All these episcopal decisions, however, were only valid so far as the princes who had procured their enactments were able or willing to maintain them.

¹⁴ *Caroli Calvi Libellus proclamationis adv. Wenilonem Archiepise. Senonum. A.D. 859, c. 3* (ap. Baronius, ann. 859, no. 25. Pertz, iii. 462): *A qua consecratione vel regni sublimitate supplantari vel projici a nullo debueram, saltem sine audientia et judicio Episcoporum, quorum ministerio in Regem sum consecratus, et qui throni Dei sunt dicti, in quibus Deus sedet, et per quos sua decernit judicia; quorum paternis correptionibus et castigatoriis judiciis me subdere fui paratus, et in praesenti sum subditus.*

¹⁵ Charlemagne himself crowned his son Lewis the Debonaire as emperor (*Annales Einhardi, ad ann. 813*: *Evocatum ad se apud Aquasgrani filium suum Hludovicum Aquitaniae Regem, coronam illi imposuit et imperialis nominis sibi consortem fecit*. When Stephen IV. visited the emperor, 816, he bestowed on him spiritual consecration (*Astronomus, c. 26*). In the same manner Lewis appointed his son Lotharius emperor, who was crowned by Pope Paschalis at his visit to Rome (*Annalis Einhardi ad ann. 823*): Lotharius again caused his son, Lewis II., to be crowned in Rome by Leo IV. (*Prudentii Trec. ann. ad ann. 850*). But this Lewis II. himself writes as early as the year 871 to the Greek emperor Basil (*Muratorii Scriptt. Ital. ii. ii. 243*): *Unctione et sacratione per summi Pontificis manus impositionem divinitus sumus ad hoc culmen provecti.—Carolus M. abavus noster unctione hujusmodi per summum Pontificem delibutus primus ex gente et genealogia nostra—et Imperator dictus et Christus Domini factus est—Si calumniaris Rom. Pontificem, quod gesserit: calumniari poteris et Samuel, quod spreto Saule, quem ipse unxerat, David in Regem ungere non renuerit.*

THIRD CHAPTER.

HISTORY OF THE FRANK EMPIRE.

Capitularia regum Francorum,¹ preserved partly in the original, partly in the Capitularium lib. vii., of which the first four books were collected by Abbot Ansegisus, 827; and the last three books² by Benedictus Levita, about 845, ed. Steph. Baluzius. Paris. 1677; ed. nova cura Petri de Chimiac. Paris. 1780. ii. voll. fol. The Capitularia enlarged and improved in Pertz Monum. iii.; the Capitularium libri by Ansegisus, *ibid.* iii. 256; those by Benedictus Levita, *ibid.* iv. ii. 39.

§ 7.

CHURCH GOVERNMENT.

Since the Frank Church had been raised from its decayed condition by Carloman and Pipin, it began to develop its resources with freshness and power under the management of the Carolingians, and to exercise the most important influence among the churches of the west.

The general belief was, that there must be a return to the old laws of the church, in order that men might have a secure guide in this renovation. But many decisions of that ancient church could not be brought into harmony with the fundamental principles of civil and feudal law, by which the relations of churches and clergy had been principally established, and which it was thought impossible to abandon without endangering the state. Hence arose an antagonism between the law of the church resuscitated, and the prevailing law of the state—an antagonism which could only be prevented from breaking forth by powerful rulers, but which, under weak princes, threatened to produce a dangerous contest between church and state.

Carloman and Pipin immediately reinstated metropolitans in their ancient rights,³ and endeavored, if possible, to diminish the

¹ On the Capitularia generally, see Eichhorn's *deutsche Rechtsgeschichte*, i. 626.

² Benedictus Levita drew not merely from the capitularies but also from other secular and ecclesiastical laws, and has adopted in particular many *Pseudo-Isidoriana* likewise. See the accurate specification of his sources by Knust in Pertz *Monum.* iv. ii. 19.

³ *Capit. ann.* 742, c. 1, *ann.* 755, c. 2.

evil of commendator-bishops and abbots;⁴ but the feudal relations of churches and monasteries remained unaltered.⁵ Charlemagne, it is true, wished to restore the ancient mode of choosing bishops;⁶ the laws issued on that point were not, however, universally carried out; for no choice could be made without the king's special permission,⁷ and most of the bishops continued to be appointed by the kings.⁸ In the opinion, indeed, of ecclesiastics, this was regarded as an abuse; but that bishops should be confirmed and invested by kings was universally held to be necessary.⁹ The Carlovingians allowed the possessions of the

⁴ Carolomanni Capitulare Liftingense ann. 743, c. 2: *Statuimus quoque cum consilio servorum Dei et populi christiani, propter imminentia bella et persecutio[n]es caeterarum gentium quae in circuitu nostro sunt, ut sub precario et censu aliquam partem ecclesialis pecuniae (goods, possessions) in adjutorium exercitus nostri cum indulgentia Dei aliquanto tempore retineamus, ea conditione, ut annis singulis de unaquaque casata (farmhouse) solidus, i. e., xii. denarii, ad Ecclesiam vel ad Monasterium reddatur; eo modo, ut si moriatur ille cui pecunia commodata fuit, Ecclesia cum propria pecunia revestita sit. Et iterum, si necessitas cogat, ut princeps jubeat, precarium renovetur, et rescribatur novum. Et omnino obseretur, ut Ecclesiae vel Monasteria penuriam et paupertatem non patientur, quorum pecunia in praecario praestata sit: sed si paupertas cogat, Ecclesiae et domui Dei reddatur integra possessio.* Eugen Montag's *Gesch. d. deutschen staatsbürgerl. Freiheit* (2 Bde. Bamb.-u. Würzb. 1812) i. i. 333.

⁵ The fealty-duties were so severe in many monasteries that Lewis the Debonaire, 817, lightened them, and established three classes, monasteria, quae dona et militiam facere debent,—quae tantum dona dare debent sine militia,—quae nec dona nec militiam dare debent, sed solas orationes pro salute Imperatoris vel filiorum ejus et stabilitate imperii, see the list in Baluz. Capit. i. 589, and the commentary annexed, ii. 1092.

⁶ Capit. Aquisgranense, A.D. 803, c. 2. (Baluz. Cap. i. 379), repeated word for word Capit. Aquisgr. A.D. 817, c. 2. (Baluz. i. 564. Pertz Monum. iii. 206.) Comp. Formulae diversae in Episcoporum promotionibus usurpatae post restitutam electionum libertatem ap. Baluz. ii. 591. Especially on the management of the choice by royal missi: Adlocutio Missorum Imp. Ludov. P. ad clerum et plebem electionis causa congregatum, ib. p. 601.

⁷ Conc. Valentini, ann. 855, c. 7 (Mansi, xv. 7).

⁸ Baluzius ad Concilia Galliae Narbonensis (Paris. 1668. 8), p. 34, Ejusd. not. ad Capitul. ii. 1141. Comp. Thegani vita Ludovici Imp. c. 20: *Consiliarii suis magis creditit quam opus esset; quod ei fecit occupatio psalmodiae et lectionum assiduitas, et aliud quod ille non incipiebat. Quia jam dudum illa pessima consuetudo erat, ut ex vilissimis servis fiebant summi pontifices: hoc non prohibuit.* Leo IV. Epist. ad Lothar. et Ludov. Aug. about 853 (in Gratiani Decret. P. I. dist. 63, c. 16): *Vestram mansuetudinem deprecamur, quatenus Colono humili diacono eandem Ecclesiam [Reatinam] ad regendum concedere dignemini; ut vestra licentia accepta, ibidem eum Deo adjuvante consecrare valeamus Episcopum.* Sin autem in praedicta Ecclesia nolueritis ut praeficiatur Episcopus, Tusculanum Ecclesiam, quae viduata existit, illi vestra Serenitas dignetur concedere; ut consecratus a nostro praesulatu, Deo omnipotenti vistroque imperio grates peragere valeat. So, too, John VIII. petitions King Carlmann, 879, to bestow the bishopric of Vercelli on one Conspertus (ap. Mansi, xvii. 125), and afterward announces the appointment to the inhabitants of Vercelli (l. c. p. 166), with the remark, quoniam—Carolomanus—ipsum Vercellensem episcopatum more praecessorum suorum regum et imperatorum concessit huic Consperto, etc.

⁹ Hincmar Epist. 12, ad Ludov. III. Franc. Regem: *Episcopi talem eligant, qui et s. Ecclesiae utilis, et regno proficuus et vobis fidelis ac devotus cooperator existat; et con-*

church to be continually set apart to foreign purposes. Bishoprics, indeed, were no longer bestowed in usufruct, but single estates and abbeys were conferred in this way on valiant soldiers (*Abbacomites*).¹⁰ The feudal system was also introduced into the lower situations of the church. Not only were candidates for ordination obliged to take a sort of oath of fealty to the bishop,¹¹ but even civil rulers considered the churches founded by them as loans, which they had at their disposal, and thus *the right of patronage*¹² was developed.

sentientibus clero et plebe eum vobis adducant, ut secundum ministerium vestrum res et facultates Ecclesiae, quas ad defendendum et tuendum vobis Dominus commendavit, suae dispositioni committatis, et cum consensu ac litteris vestris eum ad metropolitanum Episcopum ac coepiscopos ipsius dioecesos, qui eum ordinare debent, transmittatis.

¹⁰ For this Lewis the Debonaire was very much blamed as early as 828, at Worms, by Wala, abbot of Corvey (Paschasius Radbertus in vitae Walae, ii. 3, in Pertz Monum, ii. 549): Ecce Rex noster, ut saepe ostensum est, de facultatibus Ecclesiarum multa in suis suorumque praesumit usibus.—Si respublica sine suffragio rerum Ecclesiarum subsistere non valet; quaerendus est modus et ordo cum summa reverentia et religione Christianitatis, si quid vos vestrique ab Ecclesiis ob defensionem magis quam ad rapinam accipere debeatis. The Concil. Paris. ann. 829, lib. iii. c. 15 (Mansi, xiv. 600), requests the emperor, ut—quasdam sedes episcopales, quae rebus propriis viduatae, immo annullatae esse videntur, dum tempus habetis, et opportunitas se praebuerit, de earum sublevatione et consolatione cogitetis. That they were not deficient also in lay abbots may be seen from Capitul. ann. 823, c. 10 (ap. Pertz, iii. 294, according to Baluz. i. 635, ann. 823, c. 8): Abbatibus quoque et laicis specialiter jubemus, ut in monasteriis, quae ex nostra largitate habent, Episcopiorum consilio et documento ea quae ad religionem canonicorum, monachorum, sanctimonialium pertinent, peragant. Agobardus de dispensatione ecclesiasticarum rerum c. 4, excusat Lewis the Debonaire on this account: Quoniam de sacris rebus in laicale usos illicite translatis dicimus, non fecit iste dominus Imperator, sed praecessores ejus, et propterea isti impossibile est omnia emendare, quae antecedentes male usurpata dimiserunt. Frequently, perhaps, did powerful laymen themselves take possession of church property, Conc. Aquisgran. ann. 836 ad Pippinum Regem Aquitaniae, lib. i. c. 3: Sunt etiam quidam—sibi in Deo oblatis sacratisque rebus auferendis impunitatem inaniter promittentes, qui—solent dicere: Quid mali, quidve discriminis est, si rebus ecclesiasticis in nostris pro libitu nostro utimur necessitatibus? Quid cura est inde Deo sanctisque ejus, ob quorum amorem Deo dicantur oblatae, cum utique in eorundem sanctorum usus nihil ex his cedat? Et ubi Deus haec, quae Ecclesiarum rectores opponunt, jussit sibi offerri, praesertim cum omnia quae in terris sunt sua sint, et ille ea ad usus hominum creaverit? Under Lewis's sons the case was still worse. See the complaints of the bishops, A.D. 844, in the Conventus ad Theodosiv villam, c. 4; and the Concilio in Verno palatio, c. 12 (Baluzii Capit. ii. 10, 18; Pertz Monum. iii. 382, 385); Conc. Valentiniann ann. 855, c. 8; Planck, ii. 542; Montag's Gesch. d. deutschen staatsbürgerlichen Freiheit, i. i. 337; Möhler's Schriften, i. 322.

¹¹ See an example of such an oath in the Deutschen Abschwörungs- Glaubens- Beicht- und Betformeln vom 8ten bis 12ten Jahrh., herausgeg. von H. F. Massmann. Quedlinb. u. Leipzig. 1839, S. 182.

¹² To the builder of a church remained by law the possession of it (Conc. Francof. ann. 794, c. 54, in Baluz. Capit. i. 270. Pertz Monum. iii. 75), and the privilege of appointing to it a suitable presbyter, who, however, was obliged to obtain the bishop's approval, and to continue subject to his superintendence like other clergymen (Conc. Rom. ann. 826 and 853, c. 21, ap. Mansi, xiv. 1006). However, so early as between the years 649 and 664 the

Ecclesiastical legislation,¹³ the highest judicial power in church affairs,¹⁴ the management and confirmation of ecclesiastical decrees,¹⁵ remained with the king, who summoned the

Conc. Cabilon. c. 14, complains, quod oratoria per villas potentum jam longo constructa tempore et facultates ibidem collatas ipsi, quorum villae sunt, Episcopis contradicant, et jam nec ipsos clericos, qui ad ipsa oratoria deserviunt, ab Archidiacono coörceri permittant. Agobardus de Privilegio et jure sacerdotii, c. 11 (Opp. i. 134) : Increbuit consuetudo impia, ut paene nullus inveniatur anhelans et quantulumcunque proficiens ad honores et gloriam temporalem, qui non domesticum habeat sacerdotem, non cui obediat, sed a quo incessanter exigit licitam simul atque inlicitam obedientiam, non solum in divinis officiis, verum etiam in humanis: ita ut plerique inveniantur, qui aut ad mensas ministrent, aut saccata vina miscent, aut canes ducant, aut caballos, quibus feminae sedent, regant, aut agellos provideant. Et quia tales, de quibus haec dicimus, bonos sacerdotes in domibus suis habere non possunt,—non curant omnino quales clerici illi sint, quanta ignorantia coeci, quantis criminibus involuti; tantum ut habeant presbyteros proprios, quorum occasione deserant Ecclesias, seniores et officia publica. Quod autem non habeant eos propter religionis honorem, apparet ex hoc, quod non habent eos in honore. Unde et contumeliose eos nominantes, quando volunt illos ordinari Presbyteros, rogant nos aut jubent, dicentes: habeo unum clericionem, quem mihi nutrivi de servis meis propriis, aut beneficialibus, sive pagensisibus, aut obtinui ab illo vel illo homine, sive de illo vel illo pago: volo, ut ordines eum mihi Presbyterum. Comp. Isidor Kaim's Kirchenpatronatrecht nach seiner Enstehung, Entwicklung und heutigen Stellung im Staate. Th. i. die Rechtsgeschichte. Leipzig. 1845.

¹³ The numerous ecclesiastical regulations in the Capitularies afford proof of this. When Charlemagne, A.D. 802, caused a general revision of legislation to be undertaken (Eichhorn's deutsche Rechtgesch. i. 613), several capitularies respecting ecclesiastical things proceeded from it also.

¹⁴ Capitulare Francofordiense, A.D. 794, c. 4: Statutum est a domino Rege et s. Synodo, ut Episcopi justitias faciat in suas parochias. Si non obedierit aliqua persona Episcopo suo de Abbatibus, Presbyteris, Diaconibus, etc., veniant ad Metropolitanum suum, et ille dijudicet causam cum suffraganeis suis. Comites quoque nostri veniant ad judicium Episcoporum. Et si aliquid est, quod Episcopus metropolitanus non possit corrigere vel pacificare, tunc tandem veniant accusatores cum accusato cum litteris Metropolitani, ut sciamus veritatem rei. Capitulare tertium ann. 812, c. 1: Ut Episcopi, Abbates, Comites, et potentiores quique si causam inter se habuerint ac se pacificare noluerint ad nostram jubeantur venire praesentiam.

¹⁵ De Marca, lib. vi. c. 24-28. Comp. the acts of the councils called together by Charlemagne, at Arles, Rheims, Tours, Chalons, and Mainz (ap. Mansi, xiv. 55, ss.), in the introductory and concluding addresses. Ex. gr. praef. ad Conc. Mogunt. ann. 813 (p. 64): Gloriosissimo Imp. Carolo Aug. verae religionis rectori ac defensori s. Ecclesiae,—venimus secundum jussionem vestram in civitatem Moguntinam: gratias agimus Deo, quia s. Ecclesiae suae tam pium ac devotum in servitio Dei concessit habere rectorem, qui suis temporibus sacrae sapientiae fontem aperiens, oves Christi indesinenter sanctis reficit alimentis, ac divinis instruit disciplinis, etc.—After enumerating their employments: De his tamen omnibus valde indigemus vestro adjutorio atque sana doctrina, quae et nos jugiter admoneat, atque clementer erudiat, quatenus ea quae paucis subter perstrinximus capitulis, a vestra auctoritate fermentur si tamen vestra pietas ita dignum esse judicaverit: et quidquid in eis emendatione dignum repertur, vestra—imperialis dignitas jubeat emendare. Concluding words of the Conc. Arelat. (p. 62): Haec igitur sub brevitate, quae emendatione digna perspeximus, quam brevissime annotavimus, et domino Imperatori praesentanda decrevimus, poscentes ejus clementiam, ut si quid hic minus est, ejus prudentia suppleatur: si quid sicut quam se ratio habet, ejus judicio emendetur: si quid rationabiliter taxatum est, ejus adjutorio divina opitulante clementia perficiatur. Accordingly Charlemagne says, in the Libr. Carolinis praef. ad lib. i.: Ecclesiae in sinu

spiritual as well as the civil feudatories to diets,¹⁶ conducted spiritual causes by the *Apocrisiarius* (or *Archicapellanus*, afterward *Archicancellarius*),¹⁷ as he did civil causes by the *Comes Palatii*; and sent round into every province two extraordinary judges (*missi*), a bishop and a count,¹⁸ to exercise in common the highest oversight and power in things ecclesiastical as well as civil. Bishops and counts were every where instructed to work in common, and mutually to support one another;¹⁹ while ecclesiastical usurpations were not endured.²⁰ The pope's suprem-

regni gubernacula suscepimus:—nobis (Ecclesia) ad regendum commissa est; and Lewis the Debonaire declares, in the prologus ad Capit. Aquisgr. ann. 816 (Baluz. i. 562), it to be his duty, ut quicquid sive in ecclesiasticis negotiis, sive in statu republicae, emendatione dignum prospexitsemus, quantum Dominus posse dabat, nostro studio emendaretur.

¹⁶ For which, since 811, the clergy begin to form a proper curia (hall) for deliberation on ecclesiastical matters. Planck, ii. 139.

¹⁷ Walafrid. Strabo de Rebus eccles. c. 31: *Quemadmodum sunt in palatiis praeceptrores vel comites palatii, qui saecularium causas ventilant, ita sunt et illi quos summos Capellanos Franci appellant, Clericorum causis praelati.* Hincmar de Ordine palatii, § 13, calls the spiritual minister *Apocrisiarium*, i. e., responsalem negotiorum ecclesiasticorum. See Eichhorn's deutsche Rechtsgesch. i. 194.

¹⁸ Comp. Eichhorn's deutsche Rechtsgesch, i. 781. Cf. Capitulare iii. ann. 789, c. 11 (Baluz. Capitul. i. 244), capitula data Missis dominicis belonging to the year 802 (p. 375), Capitulare Noviomagense belonging to the year 806, cap. 4 (p. 453), Capitulare anni 828 (p. 657): *Haec sunt capitula, quae volumus ut diligenter (Missi) inquirant. Primo de Episcopis quomodo ministerium expleant, et qualis sit illorum conversatio vel quomodo Ecclesias et clerum sibi commissum ordinatum habeant atque dispositum, vel quibus rebus maxime studeant, in spiritualibus videlicet aut in saecularibus negotiis.*—*Deinde quales sint adjutores ministerii eorum, i. e., Chorepiscopi, Archipresbyteri, Archidiaconi et Vice-domini, et Presbyteri per parochias eorum, quale scilicet studium habeant in doctrina, vel quallem famam habeant secundum veritatem in populo.* Similiter de omnibus monasteriis inquirant juxta uniuscujusque qualitatem et professionem. Similiter et de caeteris Ecclesiis nostra auctoritate in beneficio datis. *Utrum Episcopi in circumeundo parochias suas caeteras minores Ecclesias gravent, aut populo oneri sint, et si ab ipsis aut a ministris eorum indebita exenia a Presbyteris exigantur.*—*Quae personae vel de quibus causis culpabiles ad praesentiam nostram venire debeant, discernendum est.* Exceptis Episcopis, Abbatibus, Comitibus, qui ad placita nostra semper venire debent isti venient, si in talibus culpis et criminibus deprehensi fuerint quales inferius adnotatae sunt. Capitula Misso cuidam data A.D. 803, c. 5 (Baluz. i. 402, Pertz Monum. iii. 122): *Referebatur de Episcopis, Abbatibus, vel caetris nostris hominibus, qui ad placitum vestrum venire contempserint. Illos vero per bannum nostrum ad placitum vestrum bannire faciatis.* Et qui tunc venire contempserint, eorum nomina annotata ad placitum nostrum generale nobis repraesentes. Cf. Franc. de Roye de Missis dominicis, eorum officio et potestate. Andegavi. 1672. 4; iter. ed. J. W. Neuhaus. Lips. 1744. 8.

¹⁹ Capitulare Bajoaricum, ann. 803, c. 4 (Baluz. i. 450. Pertz Monum. iii. 127): *Ut Episcopi cum comitibus stent, et Comites cum Episcopis, ut uterque pleniter suum ministerium peragere possint.* Comp. Ludovici Germ. Regis conventus Mogunt. ann. 851, 1. *De concordia Episcoporum Comitumque fidelium.* (Pertz Monum. iii. 411).

²⁰ Thus preventions of the administration of justice by the privilege of Asylum. Capitulare ann. 779, c. 8 (Baluz. i. 197. Pertz, iii. 36), capitula, quae in lege Salica mittenda sunt, ann. 803 (Baluz. i. 387. Pertz, iii. 113), c. 2: *Si homo furtum fecerit, aut homicidium vel quodlibet crimen foras committens infra immunitatem fugerit, mandet*

acy was acknowledged. The kings inquired of him in matters of ecclesiastical legislation,²¹ and consulted him in difficult questions ;²² but till the time of Lewis the Debonaire they allowed him no other influence over the Frank church, than that of advice, admonition, and remonstrance.²³ Under that weak prince, however, the Frank bishops felt that they were partly threatened, by the continued civil disturbances,²⁴ and partly instigated, to

Comes vel Episcopo, vel Abbat, vel Vicedomino,—ut reddat ei reum.—Si—eum reddere voluerit, in prima contradictione solidis xv. culpabilis judicetur.—Si nec ad tertiam inquisitionem consentire voluerit, quicquid reus damnum fecerit, totum ille, qui eum infra immunitatem retinet,—solvere cogatur. Et ipse Comes veniens licentiam habeat ipsum hominem infra immunitatem querendi, ubincunque eum invenire potuerit.

²¹ So Pipin in Zacharias, about 747. See Zachar. Epist. ad Bonifacium (in Epist. Bonif. ed. Serarii Epist. 139, ed. Würdtwein Ep. 74, ap. Mansi, xii. 334) : Agnoscas, charissime, flagitasse a nobis Pippinum, excellentissimum majorem domus gentis Francorum, per suum hominem, nomine Ardobanium, religiosum Presbyterum, aliquanta capitula de sacerdotali ordine, et quae ad salutem animae pertinent: simul etiam et pro illicita copula qualiter sese debeant custodire juxta ritum Christianae religionis, et sacrorum canonum instituta.—Illi vocibus aurem accommodantes, in brevi eloquio conscripta apostolica documenta direximus, etc. These capitula Zachariae P. ad Pippinum missa, besides an epistle to the same, are given in Serarius, Mansi, and Würdtwein, ll. cc.—A more copious Codex canonum, namely, an enlarged Dionysian collection, was received from Charlemagne, 774, by Hadrian I. An epitome of the first part, or the synodical decrees, may be seen in Canisii Lectt. ant. ed. Basnage, ii. 266. Mansi, xii. 859, ss. The first part is printed complete in J. Hartzheim Concilia Germaniae, i. 131, ss. A description of the entire Codex see in Ballerini de Antt. Canonum collect. P. iii. c. 2. J. C. Rudolph Nova comm. de cod. can. quem Hadr. I. Carolo M. dono dedit. Erlangg. 1777. 8. Spittler's Gesch. d. canon. Rechts, S. 168, ss.

²² Comp. Epist. Caroli M. ad Episc. A. D. 799 (in Baluzii, Capit. i. 327) : Et hoc vobiscum magno studio pertractandum est, quid de illis Presbyteris, unde approbatio non est et semper negant, faciendum sit. Nam hoc saepissime a nobis et progenitoribus atque antecessoribus nostris ventilatum est, sed non ad liquidum hactenus definitum. Unde ad consulendum Patrem nostrum Leonem Papam sacerdotes nostros mittimus. Et quicquid ab eo vel a suis perceperimus, vobis una cum illis quos mittimus, renuntiare non retardabimus. Vos interdum vicissim tractate adtentius, quid ex his vobiscum constituamus una cum praedicti s. Patris institutionibus, etc. So respecting the ordinations performed by the country bishops, Capit. Aquisgr. A. D. 803, l. c. p. 380) : Quod jurgium cum enucleatus discutere voluissemus, placuit nobis ex hoc apostolicam sedem consulere, jubente canonica auctoritate atque dicente : Si maiores causae in medio fuerint devolutae, ad sedem apostolicam, ut s. Synodus statuit, et beata consuetudo exigit, incunctanter referatur. Comp. Vol. I. § 94, note 20.

²³ Therefore, many capitularia were issued, apostolicae sedis hortatu, monente Pontifice, ex praecerto Pontificis. At the Synod of Frankfurt, 794, two papal legates were present, Theophylactus ac Stephanus Episcopi, vicem tenentes ejus, a quo missi sunt, Adriani Papae (Ann. Einhardi ap. Pertz, i. 181) : but yet Charlemagne had the presidency. See Synodica Concilii ad Episc. Galliae et Germaniae ap. Mansi, xiii. 884 : congregatis nobis,—praecipiente piissimo et gloriissimo domino nostro Carolo rege.

²⁴ During the reign of Lewis the Debonaire, bishops were frequently deposed for taking part in insurrections, ex. gr., in 818, the bishops of Milan, Cremona, and Orleans, as being concerned in Bernhard's conspiracy, 835; Ebbo, archbishop of Rheims, etc. The sentences, it is true, proceeded from synods; but these were called by the emperor, and composed of the political opponents of the accused.

enlarge the power of the church. Hence they began to assert the church's supremacy,²⁵ and to adduce the Roman see as the natural point of its support.²⁶ And since the bishops certainly needed protection against worldly tyranny, the right of appeal in a special case, which had been transferred to the pope at Sardica, was recalled,²⁷ but soon enlarged, so that every bishop might choose the pope to be his judge²⁸ instead of his own provincial

²⁵ Thus the Concil. Paris. ann. 829, lib. i. c. 3 (Mansi, xiv. 537), again brings forward the passage Ep. Gelasii P. ad Anastasium Imp. ann. 494 (Mansi, viii. 31): *Duo sunt,—quibus principaliter mundus hic regitur, auctoritas sacra Pontificum et regalis potestas. In quibus tanto gravius est pondus sacerdotum, quanto etiam pro ipsis regibus Domino in divino reddituri sunt examine rationem:* and the passage from Fulgentius de veritate praedestinationis et gratiae (lib. ii.): *Quantum pertinet ad hujus temporis vitam in Ecclesie nemo Pontifice potior, et in saeculo Christiano Imperatore nemo celsior invenitur.* Accordingly, the council demands, for the future, that suitable respect should be paid to the bishops. Moreover, the original cause of the perplexities is given with perfect justice and truth (Mansi, xiv. 603): *Specialiter unum obstaculum ex multo tempore jam inolevisse cognovimus: id est, quia et principalis potestas diversis occasionibus intervenientibus, secus quam auctoritas divina se habeat, in causas ecclesiasticas prosilierit, et sacerdotes partim negligentia, partim ignorantia, partim cupiditate in saecularibus negotiis et sollicitudinibus mundi, ultra quam debuerant, se occupaverint.* Et hac occasione aliter quam divina auctoritas doceat in utraque parte actum extitisse dubium non est.

²⁶ Conc. Parisiensis ann. 849. Synodica ad Nomenojum Ducem (ap. Mansi, xiv. 923): *Omnem laesisti Christianitatem, dum vicarium b. Petri apostolicum, cui dedit Deus primatum in omni orbe terrarum sprevisti.*

²⁷ In the codex presented by Hadrian to Charlemagne were found certainly (see Hartzheim Concil. Germ. i. 190) the Canones Sardenses (see Vol. I. § 94, note 7); but there was also the African prohibition of appeal, *ad transmarina* (Hartzheim, i. 228), and the Epist. Conc. Afric. ad Coelestin. (Hartzheim, i. 233), see Vol. I. § 94, note 61. Out of this codex Charlemagne inserted the most important canones in the Capitulare Aquisgram. s. primum ann. 789; but here we do not find those Sardican canons that establish the right of appeal to Rome, but rather the Nicene and Antiochian canons, which attribute the highest authority to the provincial synod. Accordingly, even all complaints against bishops were decided by synods, Thomassina *Vetus et nova Ecclesiæ disciplina de beneficiis*, P. ii. lib. 3, c. 109. Benedictus Levita is the first who has in his collection of capitularies the Sardican decrees. Cap. lib. vi. c. 64: *Et judicato in aliqua causa Episcopo liceat iterare judicium, et, si necesse fuerit, libere Episcopum adire Romanum.* Cf. lib. vii. c. 103, c. 412.

²⁸ The theory which Benedictus Levita has adopted in addition to the Sardican regulation, was developed, lib. vii. c. 315: *Placuit, ut, si Episcopus accusatus appellaverit Romanum Pontificem, id statuendum, quod ipse censuerit* (a manifest falsification of the expression of the Epitome Codicis ab Hadriano Carolo M. donati ap. Mansi, xii. 872: *Si Episcopos damnatus appellaverit Rom. Pont., id observandum, quod ipse censuerit.*) Cf. lib. vii. c. 173. Addit. iv. c. 27. Accordingly, Gregory IV., as early as the year 835, raised his claims, when he asserted, in reference to the accused Aldricus, bishop of Mans (Epist. ad universos Episc. ap. Mansi, xiv. p. 513): *Liceat illi post auditionem Primatum dioeceseos, si necesse fuerit, nos appellare:—nullusque illum ante haec judicet aut judicare praesumat.* And Leo IV. (Epist. ad Episc. Britanniae, ap. Mansi, xiv. p. 882): *Nullam damnationem Episcoporum esse unquam censemus, nisi aut ante legitimum numerum Episcoporum, qui fit per xii. Episcopos, aut certe probata sententia per lxxii. idoneos testes.—Et si inter eos, quos dammandos esse dixerunt homines, fuerit Episcopus, qui suam causam in praesentia Romanae sedis Episcopi petierit audiri, nullus super illum fuitivam praesumat dare sententiam: sed omnino eum audiri decernimus.*

synod. Civil governments themselves, by calling in the papal authority to their aid, when they felt their weakness on the occasion of unusual ecclesiastical matters, furnished ground for the opinion that such authority could not be dispensed with in important ecclesiastical regulations.²⁹ Thus papal influence over the Frank church increased very perceptibly,³⁰ and new ideas of church polity arose, to which Pseudo-Isidore, in his decretals, tried to give a historic basis.

§ 8.

RESTORATION OF ECCLESIASTICAL ORDER

The Carlovingians chiefly sought to reform the state of morals among the laity¹ as well as the clergy,² but met with great

²⁹ When, for example, Ebbo, who had been deposed from the archbishopric of Rheims, on account of a rebellion, 835, was appointed, after 844, bishop of Hildesheim by Lewis the German (Conc. Tricassini ann. 867, Ep. ad Nicolaum P. ap Mansi, xv. 794) auctoritate cuiusdam privilegii—a b. Gregorio Papa sibi collati, connivente supra—sua restitutione, ministerium pontificale fine tenus exercuit. In this privilege was contained in transmigratione alterius parochiae ut episcopali et praedicationis licenter fungeretur officio. (The doubts which Baluzius in his Regino, p. 599, raises against the genuineness of this privilegium are unsatisfactory; even Rhabanus, Ebbo's metropolitan, in Ep. ad Heribaldum, c. 34; ibid. p. 518, attests, eum ab apostolica sede in locum suum restitutum esse.) Thus, now, in an unusual case, a pope had both restored a deposed bishop to his office, and sanctioned his removal. By this means, the rule that had been hitherto observed was broken through (Capitul. vi. ann. 806, c. 10. ap. Baluz. i. 456): *Ne de uno loco ad alium transeat Episcopus sine decreto Episcorum*: we find it afterward even in Hincmar, the opponent of the Pseudo-Isidorian principles, *de translationibus Episcorum*, c. 7 (written 872), Opp. ii. 744. *Episcopus de civitate, in qua ordinatus est, transferatur ad aliam civitatem synodali dispositione, vel apostolicae sedis consensione.* Comp. Thomasinus, P. ii. lib. 2, c. 63.

³⁰ Respecting the earlier limits of Roman influence, and its gradual enlargement, see Agobard de Dispensatione eccles. rerum, c. 20. (Cf. adv. legem. Gundobadi, c. 12): *Verum quia sunt, qui Gallicanos canones aut aliarum regionum putent non recipiendos, eo quod legati Romani seu Imperatoris in eorum constitutione non interfuerint* (adv. leg. Gund. l. c. quod neotericī Romani eos nou commendaverint): *restat, ut etiam SS. Patrum doctrinas et expositiones diversosque tractatus, ut sunt Cypriani, Athanasii, etc., doceant non esse recipiendos: quia cum haec tractarent—legati Romani s. Imperatoris non aderant.* Melius mihi sentire videntur, qui secundum Domini dictum, ubi duo vel tres in nomini Domini congregatos agnoscent, Dominum quoque inter eos affuisse non dubitant.—Ubiunque enim catholici Ecclesiarum rectores pro Ecclesiarum utilitatibus cum Dei timore in ejus nomine et honore conveniunt, quicquid consonanter s. scripturis statuunt, nulli procul dubio spernenda, immo veneranda omnibus esse debent.

¹ Prohibitions of heathenism, Capit. Liftingense, ann. 743, c. 4, Pertz, iii. 18, comp. the Indiculus superstitionum et paganarum, ibid. p. 19, and in the Capitularies very often.—Statuta Salisburgensia, ann. 799: *Ut omnis populis honorifice cum omnibus supplicationibus devotione, humilietur et cum reverentia absque pretiosarum vestium ornata vel etiam illecebrosa cantico et lusu saeculari cum laetanis procedant, et discant Kyrieleyson clamare, et non tam rustice, ut nunc usque, sed melius discant.*

² So Carlomanni Capit. i. ann. 742, c. 2 (ap. Baluz. i. 146): *Servis Dei per omnia omnibus*

opposition in consequence of the grossness of the age.³ For this end they found a weighty support in the *vita canonica*⁴ first introduced by *Chrodegang* (bishop of Metz from 742–766) among his clergy. This system of rules having been confirmed by Charlemagne,⁵ and with some additions by Lewis the *Debonaire* at Aix-la-Chapelle, 816,⁶ was soon adopted in almost all

armaturam portare vel pugnare, aut in exercitum et in hostem pergere omnino prohibuimus.—Nec non et illas venationes et sylvaticas vagationes cum canibus omnibus servis Dei interdiximus. Similiter ut accipitres et falcones non habeant, c. 6. Punishments for lewdness in the clergy, Pippini Capit. ann. 744, c. 8 (*ibid.* p. 158): Similiter diximus, ut neque clericus mulierem habeat in domo sua, quae cum illo habitet, nisi matrem, aut sororem, vel neptem suam. All these laws were frequently repeated.

³ Respecting *Gewillieb*, archbishop of Mainz, see *Othlonus* in *vita Bonif.* i. c. 44. Comp. especially *Capitulare viii* ann. 803, ap. *Baluz.* i. 405, ss. *Petitio populi ad Imperatorem*: *Flexis omnes precamur poplitibus majestatem vestram, ut Episcopi deinceps, sicut hactenus, non vexenter hostibus, sed quando vos nosque in hostem pergerimus, ipsi propriis resideant in parochiis, Deoque fideliter famulari studeant, etc.*—*Quosdam enim ex eis in hostibus et praeliis vulneratos vidimus, et quosdam perisse cognovimus.*—*Illud tamen vobis et omnibus scire cupimus, quod non propterea haec petimus, ut eorum res aut aliquid ex eorum pecuniis, nisi ipsis aliquid sponte nobis dare placuerit, aut eorum Ecclesias viduari cupiamus.*—*Scimus enim res Ecclesiae Deo esse sacras, etc.* In consequence of this petition, it was resolved at a *synodalis conventus* (p. 409), *ut nullus sacerdos in hostem perget, nisi duo vel tres tantum Episcopi*—propter benedictionem et praedicationem *populique reconciliationem, et cum illis electi sacerdoce, qui bene sciant populis poenitentias dare, Missas celebrare, de infirmis curam habere, sacratique olei cum sacris precibus unctionem impendere, et hoc maxime praevidere, ne sine viatico quis de saeculo recedat.* Hi vero nec arma ferant, nec ad pugnam pergent,—sed tantum sanctorum pignora et sacra ministeria ferant et orationibus pro viribus insistant, ut populis qui pugnare debet, auxiliante Domino victor existat.—*Reliqui vero, qui ad Ecclesias suas remanent, suos homines bene armatos nobiscum, aut cum quibus jusserimus, dirigant; et ipsi pro nobis et cuncto exercitu nostro Missas, letanias, oblationes, eleemosynas faciant, orantes Deum caeli, ut proficiamus in itinere quo pergerimus, victoresque Deo adminiculante existamus.* Gentes enim et Reges earum, quae sacerdotes secum pugnare permiserunt, neque praevalebant in bello, nec victores extiterunt, quia non erat differentia inter laicos et sacerdotes, quibus pugnare non est licitum. Haec vero Galliarum, Hispaniarum, Langobardorum, nonnullaque alias gentes et Reges earum fecisse cognovimus, quae propter praedictum nefandissimum scelus nec victores extiterunt, nec patrias retinuerunt. To this is attached the following regulation: *Quia instante antiquo hoste audivimus, quosdam nos suspectos habere propterea quod concessimus—sacerdotibus,—ut in hostes—non irent,—nec arma ferrent,—quod honores sacerdotum et res Ecclesiarum auferre vel minuere eis voluissemus, quod nullatenus facere velle vel facere volentibus consentire omnes scire cupimus.*—Et ut haec certius credantur et per futura tempora conserventur, *praecipimus, ut nullus res Ecclesiae nisi precario possideat, etc.*—*Novimus multa regna et Reges eorum propterea cecidisse, quia Ecclesias spoliaverunt, resque earum vastaverunt, abstulerunt—et pugnantibus, dederunt, etc.* We see here how the prejudices of a people, accustomed to war and feudal duties, were overpowered by religious prejudices. The *petitio* in question had been, doubtless, brought about artfully.

⁴ *Chrodogangi Regula sincera* ap. *Mansi*, xiv. 313. Cf. *Thomassini Vet. et nov. Eccl. discipl.* P. i. lib. iii. c. 9. *Rettberg's Kirchengesch. Deutschlands*, i. 495.

⁵ *Capit. Aquisgr.* ann. 789, c. 71 (ap. *Baluz* i. 238): *Qui ad clericatum accedunt, quod nos nominamus canonica vitam, volumus, ut illi canonice secundum suam regulam omnimodis vivant, et Episcopus eorum regat vitam, sicut Abba Monachorum.* *Capit. i. ann. 802 c. 22* (*ibid.* p. 369). ⁶ The *regula Aquisgranensis* in *Hartzhemii Conc. Germ.* i. 430.

the cities of the Frank empire (Canonici⁷ cathedrales and collegiati, Monasteria canonicorum). In like manner the maintenance of order among the country clergy was secured by the division of dioceses into *Archidiaconatus*,⁸ which began to be made about the same time as the preceding regulation, and of these again into *Archipresbyteratus* or *Decanias*.⁹ On the other hand, the *Chorepiscopi*, who were often used as helps instead of the bishops, were, for the most part, removed;¹⁰ and finally it was established that those still existing should not have episcopal dignity and privileges, but only sacerdotal authority.¹¹

⁷ The title *Canonicus* was indeed already in use, but in the sense of *canoni s. matriculae Ecclesiae adscriptus*, or *canonem frumentarium percipiens* (see Muratori diss. de *Canonicis in the Antiquit. Ital. medii aevi*, v. 183): and was now first used in the signification of a *clericu regulariter*, i. e., *canonice viventis*.

⁸ Hedio first divided his bishopric of Strassburg into seven archdeaconries, and received for this, 774, the approval of Hadrian I. Grandidier *Hist. de église de Strasbourg*, vol. i. p. 176, 291; vol. ii. original document no. 66. Planck, ii. 584.

⁹ Thomassinus, P. i. l. ii. c. 5. The clergy of every deanery came together on the calends of every month, chiefly for spiritual exercises and deliberations (Hincmar Capitula anno xii. Episcopatus superaddita c. 1, Opp. ed. Sirmond. i. 731: *Et semper de Kalendis in Kalendis mensium, quando Presbyteri de Decaniis simul convenient, collationem de poenitentibus suis habeant, qualiter unusquisque suam poenitentiam faciat*); but to these were soon joined luxurious banquets. See Hincmar Capitula Presbyteris data ann. 852, c. 15 (Opp. i. 714): *Ut, quando Presbyteri per Kalendas simul convenerint, post peractum divinum mysterium et necessariam collationem non quasi ad prandium ibi ad tabulam resideant, et per tales inconvenientes pastellos (meal-times) se invicem gravent, quia dishonestum est et onerosum. Saepe enim tarde ad Ecclesias suas redeuntes majus damnum de reprehensione conquerunt, et de gravedine mutua contrahunt, quam lucram ibi faciant. Et ideo peractis omnibus, qui voluerint, panem cum caritate et gratiarum actione in domo confratris sui simul cum fratribus suis frangant, et singulos biberes (drunk) accipient, maxime autem ultra tertiam vicem poculum ibi non contingent, et ad Ecclesias suas redeant.—In Germany the archdeaconship coincided with the province, the deanship with the smaller districts, “hundreds” (centen.).*

¹⁰ Hence Hincmar, archbishop of Rheims, had complained of this in a letter to Pope Leo IV. (see Flodoardi, canon in Rheims, † 966, Hist. Eccl. Remensis, lib. iii. c. 10), quod terrena potestas hac materia saepe offenderet, ut videlicet Episcopo quolibet defuncto per *Chorepiscopum* solis Pontificibus debitum ministerium perageretur, et res ac facultates Ecclesiae secularium usibus expenderentur, sicut et in nostra Ecclesia jam secundo actum fuisset. Besides, many bishops also consecrated such suffragans for their convenience. See Benedictus Levita in *Capitularium* lib. vi. c. 121: *Placuit ne *Chorepiscopi* a quibusquam deinceps fiant, quoniam hactenus a nescientibus sanctorum patrum et maxime Apostolicorum decreta, suisque quietibus ac delectationibus inhaerentibus facti sunt.* Thus, then, the decisions of ancient councils were renewed for the purpose of checking the country bishops (see Vol. I. § 91, note 19) Se *Capit. ecclesiast.* ann. 789, c. 9. Cap. Francof. ann. 794, c. 20 (ap. Pertz, c. 22).

¹¹ In the controversy whether the spiritual rights of bishops belonged to the country bishops, Hincmar declared his opinion against the latter (Flodoardus, l. c.), so also Pseudo-Isidorus, from whom Benedictus Levita, *Capitul. lib. vi. c. 369*, compiled a decision to this effect. On the other hand, those rights were defended by Rabanus Maurus *lib. de Chor episcopis et dignitate atque officio eorum* (appended to *de Marca de Concordia sacerd. et Imp.*, ed. Böhmer, p. 1261). However Albericus Mon. *Triumfontium* (about 1240) in *Chron*

For the amelioration of the monastic institutions, *Benedict*, abbot of Aniane († 821),¹² was very active in his endeavors, who accordingly reformed several monasteries, and at whose instance the *capitulare Aquisgranense de vita et conversatione monachorum*¹³ was issued by Lewis the Debonaire, A.D. 817.

In general, Charlemagne chose the Church of Rome, as the most ancient church of the west, for his model in the ecclesiastical enactments he made. As he had received from *Adrian I.* a *codex canonum*,¹⁴ so he afterward sent to the same person for the *Sacramentarium Gregorii M.*¹⁵ and two singers, that he might introduce the Roman church-music into his empire.¹⁶

The laws concerning marriage were also conformed to the principles of the Roman church,¹⁷ the benediction of a priest was made necessary to its legality,¹⁸ and points about marriage, as

ad ann. 849, Audradus Chorepiscopus Senonensis—Parisius ad concilium evocatus est, et non solum ipse, sed etiam omnes alii Choropiscopi, qui erant in Francia, in eodem concilio depositi sunt.

¹² From him proceeded Codex regularum ed. Luc. Holstenius. Romae. 1661; recus. Paris. 1664. 4. Concordia regularum ed. Hugo Menardus. Paris. 1638. Bähr's Gesch. d. röm. Liter. im karolingischen Zeitalter, S. 366.

¹³ Baluz. cap. i. 579.

¹⁴ See above, § 7, note 21.

¹⁵ Hadriani Epist. ad. Car. in Cod. Carol. no. 82, ap. Mansi, xii. 798. Landulphus Senior (about 1070) Hist. Mediolan. lib. ii. c. 10 (Muratorii Scriptt. rer. Ital. iv. 73) first speaks of a Roman council under Hadrian, which had rejected the Ambrosian ritual, on which Charlemagne, at the destruction of the Lombard empire, omnes libros Ambrosiano titulo signillatos—alios comburens, alios trans montes secum detulit. This narrative is given in excerpt by Gulielm. Durandus (1286) Rationale divin. offic. lib. v. c. 2. See Carolus M below, note 16.

¹⁶ Monachus Sangallensis de Gestis Car. M. lib. i. c. 11. Ann. Laurissenses ad ann. 787. (Pertz, i. 170). Vita Adriani in Mabillonii Museum Ital. i. ii. 41 (cf. Capit. eccles. ann. 789, c. 79). Capit. in Theodonis villa promulgatum ann. 805, c. 2). Carolus M. contra Synodus Graeciae pro adorandis imaginibus gestam, lib. i. c. 6: Nostrae partis ecclesia dum a primis fidei temporibus cum ea [Eccl. Romana] perstaret in sacrae religionis unione—venerandae memoriae genitoris nostri—Pippini regis cura et industria, sive adventu in Gallias—Stephani Romanae urbis antistitis, est etiam ei in psallendi ordine copulata, ut non esset dispar ordo psallendi, quibus erat compar ardor credendi.—Quod quidem et nos, conlato nobis a Deo Italiae regno, fecimus, S. Romanae Ecclesiae fastigium sublimare cupientes, et reverendissimi Papae Adriani salutaribus exhortationibus parere nitentes: scil. ut plures illius partis Ecclesiae, quae quondam apostolicae sedis traditionem in psallendo suspicere recusabant, nunc eam omni diligentia amplectantur:—quod non solum omnium Galliarum provinciae, et Germania, sive Italia, sed etiam Saxones et quaedam Aquilonaris plague gentes, per nos Deo annuente ad verae fidei rudimenta conversae, facere noscuntur.—Singing schools in Metz and Soissons. Mon. Sang.: Ut nunc usque—ecclesiastica cantilena dicatur Metensis, apud nos vero qui Teutonica s. Teutisca lingua loquimur, aut vernacula Met aut Mette, vel secundum Graecam derivationem usitato vocabulo Metisca nominetur. Cf. Thomassinus P. i. l. ii. c. 80.

¹⁷ G. W. Böhmer über die Ehegesetze im Zeitalter Karls d. G. und seiner nächsten Regierungs-nachfolger. Gött. 1826. 8.

¹⁸ Capitt. lib. vi. c. 130, 327, 408, lib. vii. c. 179.

matters referring to the making of wills, were referred to the bishops.¹⁹ The old freedom of divorce²⁰ was restricted by laws.²¹ Until the time of Charlemagne the party not accused of crime was permitted to marry again;²² but afterward the Roman notion began to prevail more and more, viz., that divorced persons could not marry again so long as the other party was alive.²³ The discipline of the church was enforced not only by spiritual terrors,²⁴ but also by secular punishments.²⁵ In particular, the

¹⁹ Planck, ii. 275, ff. Böhmer, S. 126, ff.

²⁰ See Vol. I. § 125, note 14.

²¹ The lawful causes of divorce see in Böhmer, S. 89, ff.

²² Thus Pipin allowed the husband who had put away his wife for adultery, Capit. ann. 757, c. 8 : *Si vult, potestatem habet accipere aliam.* Capit. ann. 752, c. 5 : *Si qua mulier mortem viri sui cum aliis hominibus consiliavit—ille vir potest ipsam uxorem dimittere, et, si voluerit, aliam accipiat.* The same thing is even allowed the husband, cap. 9, si quis necessitate inevitabili cogente in alium ducatum s. provinciam fugerit—et uxor ejus—eum sequi noluerit. At that time, however, they were less strict even in Rome, cf. Gregorii II. Ep. ad Bonifacium, A.D. 726, c. 2, ap. Mansi, xii. 245 (also in Gratianus caus. xxxii. qu. 7, c. 18) : *Si mulier infirmitate correpta non voluerit debitum viro reddere—ille, qui se non poterit continere, nubat magis.* Zacharias P. about 744 (ap. Gratian. l. c. c. 23, and in Lombardi Sent. lib. iv. dist. 34) : *Concubuisti cum sorore uxoris tuae?* *Si fecisti, neutram habeas:* et si illa, quae uxor tua fuerit, conscientia sceleris non fuit, si se continere non vult, nubat in Domino, cui velit. Still Pope Leo VII. († 939) writes in Epist. ad Eberhardum ducem Bojariae (in Aventini Annal. Bajorum lib. iv. c. 23, ed. Gundling. p. 461) : *Si quis piam uxori adulterae repudium remiserit, nec hi conjuges in gratiam redigi coniverint, nulla lex, nulla religio vetat illum novas facere nuptias.* Satias enim est casto connubio frui, quam multarum amore deperire aut scortari. This Epist. ad Eberh., which Aventinus gives in excerpt, is still extant (ap. Mansi, xviii. 379); but this passage, and another which Aventinus had, is wanting in it; a circumstance that must make one very suspicious about the integrity of the printed papal letters.

²³ So first Conc. Paris. ann. 829, lib. iii. c. 2. (Mansi, xiv. 596) : *Quod nisi causa fornicationis, ut Dominus ait, non sit uxor dimittenda, sed potius sustinenda.* Et quod hi, qui causa fornicationis dimissis uxoribus suis alias ducunt, Domini sententia adulteri esse notentur. This regulation is adopted by Benedictus Levita in his collection of Capitularies (Capit. lib. vi. c. 235), but he perverts the sense of the first sentence by leaving out *nisi*, so as to make it have the opposite sense. Benedict has preserved several capitula of older synods against the remarrying of divorced persons (lib. vi. c. 63, c. 87; vii. c. 73, c. 381), though he does not omit to give also the opposite regulations of Frank kings (Ex. gr. lib. v. c. 21, from Capit. ann. 757, c. 8, see above, note 22). But the civil law did not yet go as far as the ecclesiastical view. See Lothari I. legg. Langobard. c. 92 (in Walter Corp. juris Germ. t. iii. p. 656) : *Nulli licet excepta causa fornicationis adhibitam sibi uxorem relinquere, et deinde aliam copulare.* S. Böhmer, S. 108, ff.

²⁴ Comp. the Epistola Jesu Christi (in Baluzii Capitul. ii. 1396), fabricated in Charlemagne's time, with horrible threats against those who did not keep Sunday holy, who observed heathen usages, etc.

²⁵ Childebert's decretio A.D. 595, c. 2 (see Vol. I. Div. II. § 124, note 17), against those excommunicated for incest, who continued obstinate. More general Pippini Capit. vern. ann. 755, c. 9 : *Si aliquis ista omnia contemserit, et Episcopus emendare minime potuerit, Regis iudicio exilio condemnetur.* Cf. Capit. lib. vii. c. 215.—Synodus Regiaticinia [Pavia] A.D. 850, c. 12 (ap. Mansi, xiv. 934) : *Hoc autem omnibus Christianis intimandum est, quia hi, qui sacri altaris communione privati, et pro suis sceleribus reverendis adyatis exclusi publicae poenitentiae subjugati sunt, nullo militiae secularis uti concilio, nullamque reipublicae debent administrare dignitatem, etc.*

yearly visitations made by the clergy to inspect the churches (*Synodi*)²⁶ served to preserve a certain outward decency.

§ 9.

PRIVILEGES OF THE CLERGY.

To the Carlovingians the clergy were indebted for new possessions and privileges. *The tithes* granted to the Church by Charlemagne, 779, were at first, indeed, reluctantly and irregularly paid, but yet they were carried out into execution.¹

²⁶ An improvement of the old church visitation (cf. Conc. Taracon. ann. 516, c. 8: *Ut iustitiae consuetudinis ordo servetur, et [Ecclesiae] annuis vicibus ab Episcopo dioeceseis insitentur*). Carol. M. Capit. ann. 769, c. 7: *Statuimus, ut singulis annis unusquisque Episcopus parochiam suam solicite circumeat, et populum confirmare et plebes docere, et investigare et prohibere paganas observationes, divinosque vel sortilegos, aut auguria, phylacteria, incantationes, vel omnes spurcias gentilium studeat*. Capit. ii. ann. 813, c. 1: *Ut Episcopi circumeant parochias sibi commissas, et ibi inquirendi studium habeant de incestu, de parricidiis, fraticidiis, adulteriis, cenodoxiis et aliis malis, quae contraria sunt Deo, quae in sacris Scripturis leguntur quae Christiani devitare debent*. Capitt. lib. vii. c. 148, 465. Conc. Arelatense ann. 813, c. 17 (Mansi, xiv. 61): *Ut unusquisque Episcopus semel in anno circumeat parochiam suam. Noverint sibi curam populorum et pauperum in protegendis ac defendendis impositam. Ideoque dum conspiciunt, judices ac potentes pauperum oppressores existere, prius eos sacerdotali admonitione redarguant: et si contempserint emendari, eorum insolentia Regis auribus intimetur, et quos sacerdotalis admonitio non flectit ad justitiam, regalis potestas ab improbitate coērceat*. A description of the synods in Regino de disciplina eccl. lib. ii. c. 1, ss. Hartzhemii Conc. Germ. ii. 511. Jo. Morini Comm. hist. de disciplina in administratione sacramenti poenitentiae, lib. vii. c. 3. F. A. Biener's Beitr. zu d. Gesch. d. Inquisitionsprocesses. Leipz. 1827, S. 28, ss. Eichhorn's Kirchenrecht, ii. 73.

¹ People had very early begun to consider ecclesiastical oblations as a continuation of the Old Testament first-fruits and tithes (Vol. I. § 53, note 16), and to assert that the laity should proportion the greatness of their oblations to that standard. For a long time this was only enforced as a moral duty, but subsequently it was demanded on pain of ecclesiastical punishment (Conc. Matisconense, ann. 585, c. 5): *Let the disobedient person a membris Ecclesiae omni tempore separetur*. A letter of Pipin's to Lullus, archbishop of Mainz, A.D. 764, ap. Baluz. i. 185, desires that the bishops should institute a thanksgiving feast, on account of a rich harvest, *et faciat unusquisque homo sua eleemosyna, et pauperes pascat*. *Et sic praevidere faciatis ordinare de verbo nostro, ut unusquisque homo, aut vellet, aut nollet, suam decimam donet, viz., to the poor*. Charlemagne made the church law, which required a tenth, the law of the state also, Capit. ann. 779, c. 7: *De decimis, ut unusquisque suam decimam donet, atque per jussionem Pontificis dispensetur*. Capitulatio de partibus Saxoniae (Pertz, iii. 49), c. 16: *Et hoc Christo propitio placuit, ut undecunque census aliquid ad fiscum pervenerit, sive in frido, sive in qualicunque banno, et in omni redibutione [i. e., redditu] ad Regem pertinente, decima pars Ecclesiis et Sacerdotibus reddatur*. C. 17: *Similiter secundum Dei mandatum praecepimus, ut omnes decimam partem substantiae et laboris sui Ecclesiis et Sacerdotibus donent, tam nobiles quam ingenui, similiter et liti, juxta quod Deus unicuique dederit Christiano, partem Deo reddant; subsequently also often repeated*. According to a Capit. anni inc. in Martene

Parishes received a secure endowment, to which, in particular, a certain extent of land (*mansi ecclesiasticus*) free of all rent and taxes also belonged.² To this were added, not only many donations,³ but, as the feudal system prevailed, many private estates were converted into ecclesiastical fiefs.⁴ Many churches received judicial power over their tenants,⁵ perhaps also over

et Durand Coll. ampl. vii. 10, the disobedient shall first be excommunicated, and if then they will not submit they shall be compelled by civil punishments, succeeding one another by gradation. This ecclesiastical tithe must be distinguished from that tenth which, at the time of the Romans, colonists had to pay from the *ager publicus* to the state as rent, and which subsequently had come with the possession of that *ager* into many other hands, and had also in a great measure fallen into the hands of the church (Birnbaum die rechtl. Natur der Zehnten. Bonn. 1831. 8). Such colonists had now to pay a double tithe, decimam et nonam; hence Capit. Francof. ann. 794, c. 23: Ut decimas et nonas sive census omnes generaliter donent, qui debitores sunt ex beneficiis et rebus Ecclesiarum.—Et omnis homo ex sua proprietate legitimam decimam ad Ecclesiam conferat. Experimento enim didicimus, in anno, quo illa valida fames irrepit, ebullire vacuas annonas a daemonibus devoratas, et voces exprobrationis auditas. Planck, ii. 397. Gfrörer, iii. ii. 609. Kühenthal's Gesch. des deutschen Zehntens. Heilbronn. 1837. 8.

² Ludov. P. Capit. ann. 816, c. 10: Statutum est, ut unicuique Ecclesiae unus mansus integer absque ullo servitio adtribuatur, et Presbyteri in eis constituti non de decimis, neque de oblationibus fidelium, non de domibus, neque de atrii vel hortis juxta Ecclesiam positis, neque de praescripto manso aliquod servitium faciant praeter ecclesiasticum. Et si aliquid amplius habuerint, inde Senioribus suis debitum servitium impendant. On *Mansus* see Eugen Montag's Gesch. d. deutschen staatsbürgerl. Freiheit, i. 1, 273 u. 325. The Conc. Rom. ann. 826, c. 16 (repeated ann. 853, ap. Mansi, xiv. 1005), forbids the bishops res immobiles de subjectis plebibus seu aliis piis locis in proprio usu habere.

³ Also by contractus precarios, Planck, ii. 390. Montag, i. i. 278. Kunstmann's Rabanus Maurus, S. 20.—What means were employed in part to obtain these donations may be seen from Caroli M. Capitulare ii. ann. 811, c. 5: Inquirendum etiam, si ille saeculum dimissum habeat, qui quotidie possessiones suas augere quolibet modo et qualibet arte non cessat, suadendo de caelstis regni beatitudine, comminando de aeterno supplicio inferni, et sub nomine Dei aut cuiuslibet sancti tam divitem quam pauperem, qui simplicioris naturae sunt, et minus docti atque cauti inveniuntur, si rebus suis expoliant, et legitimos heredes eorum exheredant, ac per hoc plerosque ad flagitia et scelera propter inopiam, ad quam per hoc fuerint devoluti, perpetranda compellunt, ut quasi necessario furtu et latrocinia exerceant, cui paternarum [rerum] hereditas, ne ad eum perveniret, ab alio precepta est. Cap. 6: Iterum inquirendum, quomodo seculum reliquisset, qui cupiditate ductus propter adipiscendas res, quas alium videt possidentem, homines ad perjuria et falsa testimonia pretio conducti; et Advocatum sive Praepositum non justum ac Deum timentum, sed crudelem ac cupidum, ac perjuria parvipendentem inquirit, etc.

⁴ Capit. iii. ann. 811, c. 3: Dicunt etiam, quod quicunque proprium suum Episcopo, Abbatii, vel Comiti aut Judici vel Centenario dare noluerit, occasiones quaerunt super illum pauperem, quomodo eum condemnare possint, et illum semper in hostem faciant ire, usque dum pauper factus volens nolens suum proprium tradat aut vendat, alii vero, qui traditum habent, absque ullius inquietudine domi resideant. Charles the Bald desired, on the contrary, that every one should come under the feudal obligations, Conventus apud Marsnam, ann. 847 (Baluz. ii. 44. Pertz, iii. 395): Volumus etiam, ut unusquisque liber homo in nostro regno seniorem qualem voluerit, in nobis et in nostris fidelibus accipiat. Eichhorn's deutsche Rechtsgesch. i. 724.

⁵ Such cases had already happened singly among the Merovingians, but now they were more frequent. Thus Treves received the privilege of immunity from the jurisdiction of counts, for church possessions, from Pipin, 761 (Hontheim Hist. dipl. i. 120, confirmed by

the free men that dwelt among them; many also received other *Regalia*⁶ (rights belonging to royalty). From Charlemagne's time all prelates were obliged to keep *advocates* (*Advocati Ecclesiae*)⁷ for transacting the secular affairs incompatible with their spiritual calling.

Charlemagne *exempted* the clergy more than ever from the jurisdiction of the civil courts; but the king continued to be supreme judge of all clergymen, even of bishops.⁸ And since a more accurate distinction of the peculiar limits belonging to the

Charlemagne, 773, p. 132, and Lewis the Debonaire, 816, p. 167). Osnabrück received from Charlemagne, 804, immunity from all judicial courts, even from that of Missi (Möser's Osnabrück. Gesch. 3te Aufl. Berlin. 1819. i. 405). Montag, i. i. 220. Eichhorn, i. 735.

⁶ Comp. Montag, i. 285. Thus Lewis the Debonaire in particular bestowed on many monasteries and churches, the right of tolls, markets, and coinage (Walch Diss. de pietate Lud. P. 1748, in Pottii Syll. comm. theol. iv. 280). Therefore Heimoldus in Chronic. Slav. lib. i. c. 4, § 2, says that Lewis was so indulgent to the clergy, ut Episcopos, qui propter animarum regimen principes sunt caeli, ipse eosdem nihilominus principes efficeret regni.

⁷ Caroli Capit. ii. ann. 813, c. 14: Ut Episcopi et Abbates Advocatos habeant. Et ipsi habeant in illo comitatu propriam hereditatem. Et ut ipsi recti et boni sint, et habeant voluntatem recte et juste causas perficerē. Cf. Lotharii Capit. tit. iii. c. 7, c. 9, c. 18. Pippini Ital. Reges. leges Langobard. c. 7. These Advocati had to appear in courts on behalf of the church they represented, to attend to the administration of justice in them (Montag, i. i. 232, ss. 244, ss.). Many churches had for protection also Defensores Ecclesiae (Montag, S. 250): Both offices, however, were soon united (Montag, S. 254, ff.), and the expressions, Advocati, Defensores, Vicedomini, became synonymous. The appointment of such officers originated in the older, particularly African, synodical decrees, though the new Advocati were quite different from the earlier subordinate Defensores. Cf. Thomasinus, P. i. lib. ii. cap. 97, ss. Planck, ii. 452. Eichhorn's deutsche Rechtsgesch. i. 787. Kaim's Kirchenpatronatrecht, i. 70.

⁸ Comp. Vol. I. Div. II. § 124, note 15. Caroli M. alia capitula add. ad leg. Longob. ann. 801, c. 1: Volumus primo, ut neque Abbates, neque Presbyteri, neque Diaconi, neque Subdiaconi, neque quislibet de clero, de personis suis ad publica vel ad secularia judicia trahantur vel distringantur, sed a suis Episcopis judicati justitiam faciant. (Cf. Capit. Aquisgran. ann. 789, c. 37: Ut Clerici ecclesiastici ordinis, si culpam incurrerint, apud ecclesiasticos judicentur, non apud seculares). Si autem de possessionibus, sive ecclesiasticis, sive suis propriis, super eos clamor ad judicem venerit, mittat judex clamantem cum Missio suo ad Episcopum, ut faciat ei per advocatum justitiam percipere. Si vero talis aliqua inter eas exorta fuerit intentio, quam per se pacificare non velint aut non possint, tunc per advocatum Episcopi, qualem lex iuss erit, causa ipsa ante Comitem vel judicem veniat, et ibi secundum legem finiatur, anteposito quod dictum est de persona clericorum. (Cf. Capit. Franco. ann. 794, c. 28. Et si forte inter clericum et laicum fuerit orta alteratio, Episcopus et Comes simul convenient, et unanimiter inter eos causam definiant secundum rectitudinem.) Still the final decision belonged to the king and his ministers. Lothar. imp. in lege Longobard. lib. ii. tit. 45, c. 2. (Baluz. ii. 337): Ut omnes Episcopi, Abbates et Comites, excepta infirmitate vel nostra jussione, nullam habeant excusationem, quin ad placita Missorum nostrorum veniant, aut tales vicarium mittant, qui in omnibus causis pro illis rationem reddere possit. Caroli Calvi Capit. tit. 40) ann. 859, c. 7 (ibid. p. 211): Ut si Episcopi suis laicis injuste fecerint, et ipsi laici se ad nos inde reclamaverint, nostrae regiae potestati secundum nostrum et suum ministerium ipsi Archiepiscopi et Episcopi obedient,—sicut temporibus avi et patris nostri juxta et rationabilis consuetudo fuit. Eichhorn, i. 177.

rights of the clergy did not take place as Charles had intended,⁹ clerical aspirings after greater freedom and power were certainly the more encouraged on this account under the feeble government of his successors. The bishops strove to obtain the pope for their spiritual judge;¹⁰ and, on the other hand, to raise themselves to be judges of kings;¹¹ an attempt was also made to change the previously existing right of arbitration possessed by the bishops (Vol. I., § 91, note 4) into a compulsory judicial power over the laity, in certain cases.¹² The royal authority, however, over clerical fief-holders was still too firmly established for them to succeed in obtaining any thing in opposition to the will of the king

⁹ Capitulare interrogacionis de iis, quae C. M. pro communi omnium utilitate interroganda constituit [ann. 811] c. 4: Discutiendum est atque inveniendum, in quantum se Episcopus aut Abbas rebus secularibus debeat inserere, vel in quantum Comes vel alter laicus in ecclesiastica negotia. Hic interrogandum est acutissime, quid sit quod Apostolus ait: "Nemo militans Deo implicat se negotiis secularibus" (2 Tim. ii. 4), vel ad quos sermo iste pertineat. ¹⁰ See above, § 7, note 27, ff. ¹¹ See above, § 6, note 13.

¹² Capit. lib. vi. c. 366: Volumus atque praecipimus, ut omnes ditione nostrae Deo auxiliante subjici, tam Romani, quam Franci, Alamanni, Bajuvarii, Saxones, Thuringii, Fresones, Galii, Burgundiones, Britones, Langobardi, Wascones, Beventani, Gothi, et Hispani—hanc sententiam, quam ex 16mo Theodosii Imp. libro—sumsimus, et inter nostra capitula—posuimus, legem cunctis perpetuo tenendam; id est: Quicunque item habens, sive possessor sive petitor fuerit, vel in initio litis, vel decursis temporum curriculis, sive cum negotium peroratur, sive cum jam coepit promi sententia, si judicium elegerit sacrosanctae legis Antistitis, illico sine aliqua dubitatione, etiamsi alia pars refragatur, ad Episcoporum judicium cum sermone litigantium dirigatur.—Omnes itaque causae, quae vel praetorio jure vel civili tractantur, Episcoporum sententias terminatae, perpetuo stabilitatis jure firmentur; nec licet ulterius retractari judicium, quod Episcoporum sententia deciderit. That this law, which also belongs to the eighteen "Extavangantia" of the Cod. Theod. published in Jac. Sirmundi Appendix Codicis Theodosiani, Paris. 1631. 8 (see Novellae constitutiones Imp. Theodosii II. etc. xviii. constitutiones quas J. Sirmundus divulgavit, ed. G. Haenel. Bonnae. 1844. 4. p. 445), is not at all a lex Constantini, which it pretends to be, may be seen from Gothofred. in Cod. Theod. ed. Ritteri, vi. 339. Savigny Gesch. d. röm. Rechts im Mittelalter, ii. 281, 296. Eichhorn's Kirchenrecht, ii. 131 (although it has been recently pronounced genuine by Jungk Diss. de originibus et progressu episcopalis judicii in causis civilibus laicorum. Berol. 1832. 8, and by G. Haenel, l. c. p. 429). But even the capitulary form, which is only met with in Benedict's collection, proceeds neither from Charlemagne (to whom it has often been referred) nor from any other Frank king. C. S. Berardus (Gratiani Canones genuini ab apocryphis discreti. Taurini. 1752. t. iv. 4), i. 444, and Jodocus le Platt. Diss. de spuriis in Gratiano canonibus, P. iii. c. 14 (in Gallandii Sylloge ed. Mogont. ii. 843, note 8), declare it to be a fabrication of Benedict; Schmidt Kirchengesch. v. 161, and Eichhorn deutsche Rechtsgesch. i. 776, which amounts to the same, declares it to be a Pseudo-Isidorianum. Since that lex Const. is also found in Codd. of breviarii Alaricii, since moreover Benedict used for his collection of capitularies the documents collected by Archbishop Riculf (see preface), and since such records were brought from Spain by Riculf (see Hinckmar. Laud. c. 24); this law may have arisen among the Visigoths, with whom the bishop's power was very considerable (see Vol. I. Div. II. § 132, note 6). Thus even the subsequent royal renewing and confirmation of it may have been originally a Visigothic deed, so that Benedict may have only added some national names to make it a Frank regulation.

§ 10.

EFFORTS OF THE CARLOVINGIANS TO PROMOTE THEOLOGICAL CULTURE.

Jo. Launoji de Scholis celebrioribus s. a Carolo Magno s. post eundem Car. per Occidentem instauratis liber. Paris. 1672. 8 (in addition to Jo. Mabillonii Iter German. republished by J. A. Fabricius. Hamb. 1717. 8). L. Thomassini Vet. et Nov. Eccl. Discipl. P. ii. lib. i. c. 96–100. Histoire littéraire de la France par des religieux Benedictins de la Congrég. de S. Maur. (Paris. 1733, ss. 20 tomes 4, is continued), t. iv. et v. Bossuet's Weltgeschichte, continued by J. A. Cramer, v. ii. 118–180. C. H. van Herwerden Comm. de iis, quae a Carolo M. tum ad propagandam religionem christ. tum ad emendandam ejusdem docendi rationem acta sunt. Lugd. Bat. 1825. 4. Dr. J. Chr. F. Bähr's Gesch. d. röm. Literatur im karoling. Zeitalter. Carlsruhe. 1840. 8.

As soon as Charlemagne had become acquainted with the liberal sciences in Italy, he became anxious to introduce them immediately into his own kingdom, and in particular among the clergy. Accordingly he invited to his court learned foreigners,¹ for instance *Petrus Pisanus*, *Paulus Warnefridi* († 799),² *Paulinus*, patriarch of Aquileia († 804),³ and in 782, the most distinguished of all, *Flaccus Alcuinus* or *Albinus* († 804).⁴ By precept and example, he excited a zeal for those studies, and erected schools attached to cathedrals and monasteries,⁵ in

¹ Annales Laurissenses ad ann. 787 (ap. Pertz, i. 171): Et dominus Rex Carolus a Roma artis grammaticae et computatoriae magistros secum adduxit in Franciam, et ubique studium literarum expandere jussit. Ante ipsum enim dominum Regem Carolum in Gallia nullum studium fuerat liberalium artium.

² From him we have de Historia Longobardorum libb. vi. et Historiae miscellae libb. xvi., afterward enlarged by the addition of eight books (both best edited in Muratori Rer. Ital. scriptor. t. i.). Vitae Gregorii M., Benedicti, etc. Excerpta de primis Metensium Episcopis (in Pertz Monum. Germ. Hist. ii. 260). Homiliarium. ³ Bähr, S. 356.

⁴ Controversial writings against Adoptians. Biblical commentaries. Doctrinal writings, especially De fide S. Trinitatis libb. iii. ad Car. M. De virtutibus et vitiis l. Vitae S. Willebrordi, Martini, etc. Homiliae. De vii. artibus. Carmina. Espec. Epistolae 232. Opp. ed. Frobenius. Ratisbon. 1777. tomii ii. fol. Alcnin's life by Dr. F. Lorenz. Halle. 1829. 8. Bähr, S. 302, 78, 192.

⁵ Car. M. Epist. ad Baugulfum Abb. Fulensem, or rather a circular letter to all bishops and abbots, A.D. 787 (Baluz. i. 201. Pertz, iii. 52): Notum sit—devotioni vestrae, quia nos una cum fidelibus nostris consideravimus utile esse, ut episcopia et monasteria—etiam in literarum meditationibus, eis qui, donante Domino, discere possunt, secundum uniuscujusque capacitatatem, docendi studium debeat impendere: qualiter sicut regularis norma honestatem morum, ita quoque docendi et discendi instantia ordinet et ornet seriem verborum, ut qui Deo placere appetunt recte vivendo, ei etiam placere non negligant recte loquendo. Quamvis enim melius sit bene facere quam nosse, prius tamen est nosse quam facere. Nam cum nobis in his amnis a nonnullis monasteriis saepius scripta, dirigerentur, cognovimus in plerisque—eorumdem et sensus rectos et sermones incultos.

which the *trivium* and *quadrivium*⁶ were taught. Monastic schools were divided from A.D. 817 into external and internal.⁷ Though *Lewis the Debonaire*,⁸ *Lotharius*, and *Charles the Bald*,⁹ were friends and patrons of the sciences no less than

Unde factum est, ut timere inciperemus, ne forte, sicut, minor erat in scribendo prudentia, ita quoque et multo minor esset, quam recte esse debuisset, in eis SS. Scripturarum ad intelligendum sapientia. Quamobrem hortamus vos literarum studia non solum non negligere, verum etiam humillima et Deo placita intentione ad hoc certatim discere, ut facilius et rectius divinarum Scripturarum mysteria valeatis penetrare. Tales vero ad hoc opus viri elegantur, qui et voluntatem et possibilitatem discendi et desiderium habeant alios instruendi, etc. Capitul. Aquisgr. ann. 789, c. 70 (Baluz. i. 237): Non solum servilis conditionis infantes sede etiam ingenuorum filios (Canonici et Monachij) adgregent sibique socient. Et ut scholae legentium puerorum fiant. Psalms, notas, cantus, computum, grammaticam per singula monasteria vel episcopia discant.—Mentioned yet again by Concil. Cabilonense (A.D. 813), c. 3. T. König's geschichtl. Nachrichten über des Gymnas. zu Münster in Westphalen seit Stiftung dess. durch Karl d. G. bis auf die Jesuiten-Münster. 1821. 8. Respecting Charlemagne's literary occupations see Alcuin's life by Lorenz. pp. 20, 164; on his alleged Academy, ibid. p. 169.

⁶ The notion of seven artes liberales, though previously indicated, proceeds from Augustine de Ordine lib. ii.; Encyclopaedia of Martianus Capella (about 460) containing the seven liberal sciences, Satyricon libb. ix.; Boëthius († 524) de arithmeticā libb. iii. (where, i. 1, the name and establishment of the Quadrivium are first met with); Cassiodorus († after 562) de vii. disciplinis were the first manuals, and those much used in the middle ages. See Jac. Thomasius in the Observationibus select. Halens. t. ii. p. 40, ss. F. Cramer's Gesch. d. Erziehung und des Unterrichts in d. Niederlanden während des Mittelalters. Stralsund. 1843. S. 5. The division into the trivium and quadrivium is given in the memorial lines:—

Gram. loquitur, Dia. verba docet, Rhe. verba colorat;
Mus canit, Ar. numerat, Geo. ponderat, As colit astra.

⁷ Scholae exteriōres or canonicae, and interiores, in consequence of the regulation in the capitulare of the year 817, § 45 (Pertz, iii. 202), ut schola in monasterio non habeatur, nisi eorum, qui oblati sunt. Comp. Kunstm̄ann's Rabanus Maurus, S. 54. R. v. Raumer's Einwirkung des Christenth. aus die althochdeutsche Sprache. Stuttgart. 1845. S. 199.

⁸ Capit. Altiniacense, ann. 822, c. 3 (ap. Pertz, iii. 231). Capit. Aquisgr. ann. 825, c. 6 (ap. Pertz, iii. 243). Conc. Paris. vi. ann. 829, lib. i. c. 30 (ap. Mansi, xiv. 558). The passage of the Epist. of this council ad. Ludov. Imp. (lib. iii. c. 12): Similiter obnixe ac suppliciter vestra celsitudini suggerimus, ut morem paternum sequentes saltem, in tribus congruentissimis imperii vestri locis scholae publicae ex vestra auctoritate fiant: ut labor patris vestri et vester per incuriam, quod absit, labefactando non pareat, must be understood of the higher places of education. C. E. Bulae Hist. Acad. Paris, i. 159.

⁹ Herici Mon. ad Car. Calvum, about A.D. 876 (Dedication prefixed to his lib. vi. carmine de vita S. Germani, see Bouquet, vii. 562): Illud vel maxime vobis aeternam parat memoriam, quod famatissimi avi vestri Caroli studium erga immortales disciplinas non modo ex aequo represe[n]tatis, verum etiam incomparabili fervore transcenditis: dum quod ille sopitis eduxit cineribus, vos fomento multiplici tum beneficiorū, tum auctoritatis usquequa provocatis, immo, ut sublimibus, sublimia conferat, ad sidera perurgetis. Ita vestra tempestate ingenia hominum duplii nituntur adminiculo, dum ad sapientiae abdita persequenda omnes quidem exemplo allicitis, quosdam vero praemiis invitatis. Id vobis singulare studium effecistis, ut sicubi terrarum magistri florerent artium,—hos ad publicam eruditionem undecunque vestra celsitudo conduceret, comitas attraheret, dapsilitas provocaret. Dum te tuosque ornamenti sapientiae illustrare contendis, cunctarum fere gentium scholas et studia sustulisti. Spretis ceteris in eam mundi partem, quam vestra potestas complectitur, universa optimarum artium studia confluxerunt.

their great ancestor, yet in their times those institutions suffered from internal disturbances,¹⁰ and fell into still greater disorder in the succeeding stormy reigns. Among the schools which flourished from the time of Charlemagne, besides the *Schola Palatina*,¹¹ those of *Tours*, *Lyons*, *Orleans*, *Rheims*, *Fulda*, *old and new Corbie*, *Hirschau*, *Reichenau*, and *St. Gallen*,¹² are especially deserving of notice. Among the learned men, by the number and importance of whom the Frank empire was distinguished in the ninth century above all the west, the most worthy of mention are, *Agobard*, archbishop of Lyons († 841)¹³ *Rabanus Maurus*, 822, abbot in Fulda, 847, archbishop of Mainz († 856),¹⁴ *Haimo*, bishop of Halberstadt († 853),¹⁵ *Walafrid Strabo*, a scholastic in Fulda, 842 abbot in Reichenau († 849),¹⁶ *Servatus Lupus*, abbot at Ferrierers († 862),¹⁷ *Ra-*

¹⁰ Conc. Valentiniūm iii. (ann. 855) c. 18 (ap. Mansi, xv. 11): Ut de scholis tam divinac quam humanae literaturae, necnon et ecclesiasticae cantilenae, juxta exemplum praedecessorum nostrorum, aliquid inter nos tractetur, et si potest fieri, statuatur atque ordinetur: quia ex hujus studii longa intermissione, pleraque Ecclesiarum Dei loca et ignorantia fidei et totius scientiae inopia invasit. Conc. Lingonense ann. 859, c. 10 (Mansi, xv. 539): Ut scholae SS. Scripturarum, et humanae quoque literaturae, unde annis praecedentibus per religiosorum Imperatorum studium magna illuminatio, Ecclesiae et eruditionis utilitas processit, deprecandi sunt pii principes nostri, et omnes fratres et coēpiscopi nostri instantissime commonendi, ut—constituantur undique scholae publicae, scilicet ut utriusque eruditionis, et divinae scilicet et humanae, in Ecclesiae Dei fructus valeat accrescere: quia, quod nimis dolendum est et perniciosum maxime, divinae Scripturae verax et fidelis intelligentia jam ita delabitur, ut vix ejus extrema vestigia reperiantur.

¹¹ Bähr, S. 19, 31, 42.

¹² Hüllmann's Städtewesen des Mittelalters, iv. 307. Bähr, S. 21, 43.

¹³ Among his writings are four against the Jews, several against the superstitions of the time (adv. legem Gundobadi, et impia certamina, quae per eam geruntur. Liber contra judicium Dei. De grandine et tonitruis. Epist. ad Barthol. Episc. Narbon. de quorundam illusione signorum. De picturis et imaginibus) and on the contemporary political events (de divisione imperii Francorum inter filios Lud. Imp. flebilis epistola. Liber apologeticus pro filiis Lud. P. Chartula porrecta Lotharia Aug. in Syn. Compendiensi). Opp. prim. ed. Papir. Masson. Paris. 1605. 8; castigatius St. Baluzius, Paris. 1666. 2 voll. 8; and by this ap. Gallandius, xiii. 405. C. B. Hundeshagen de Agobardi vita et scriptis. P. i. vita. Giessae. 1831. 8. Bähr, S. 383. Gfrörer, iii. ii. 747.

¹⁴ Writings: Commentaries on almost all the biblical books. Homilies. Moral writings. On the customs of the church (De clericorum institutione et ceremoniis eccl. libb. iii. De sacris ordinibus, sacramentis divinis, et vestimentis sacerdot. De disciplina eccl. libb. iii.). Opp. ed. G. Colverius. Colon. 1637. vi. t. fol. Hrabanus Magnentius Maurus, v. D. F. Kuntsmann. Mainz. 1841. 8. Hrab. Maurus, der Schöpfer des deutschen Schulwesens. Programm von R. Bach. Fulda. 1835. 4. Bähr, S. 415, 105.

¹⁵ Biblical Commentaries.—Historiae eccl. breviarium libb. x. (ed. Jo. Maderus. Helmst. 1671). Bähr, S. 408.

¹⁶ De exordiis et incrementis rerum ecclesiasticarum (in Scriptt. de div. offic. ed. Melch. Hittorp. Colon. 1568). Glossa ordinaria in Biblia (ed. Antwerp. 1634. 6 voll. fol.). Vitae S. Galli, Othmari, et al. Bähr, S. 100, 217, 398.

¹⁷ A work on predestination. Epistolae 132. Opp. ed. St. Baluz. Paris. 1664; emend. Antwerp. 1710. 8. Bähr, S. 456.

trannus, monk in Corbie († after 868),¹⁸ *Claudius*, bishop of Turin († 839),¹⁹ and *Christianus Druthmar*, monk in Corbie († about 840),²⁰ are distinguished as grammatical scholars; as a philosopher, *John Scotus* or *Erigena*, at the court of Charles the Bald († after 877).²¹

For the instruction of the people little could be done, since

¹⁸ Called Bertramus merely by a continued error of the copyists. He was not abbot at Orbais, nor should be confounded with Ratramnus, abbot of Neuillers in Elsace. Hist. lit. de la France, v. 333. De partu virginis. De praedestinatione libb. ii. Contra Graecorum errores libb. iv. De corpore et sanguine Domini. Bähr, S. 471.

¹⁹ The following works of his have been published: Praefatio in libros informationum literae et spiritus super Leviticum, ad Theodemirum Abb. and the conclusion of this work (in Mabillonii Vett. analecta ed. ii. p. 90); Comm. in libros Regum ad Theodemirum Abb. (in Bedae et Claudii Taur. aliorumque opuscula a Canonicis regul. S. Salvatoris edita. Bononiae. 1755. fol. p. 4. From this commentary nothing more than the introductions to separate books had been published before in F. A. Zachariae Biblioth. Pistoriensis. Aug. Taurin. 1752. fol. p. 60, the complete edition has remained quite unnoticed in Germany); praeaf. in catenam ad Matthaeum, ad Justum Abb. (in the Spicilegium Romanum, t. iv. Romae. 1840. 8. p. 301); Praef. in commentarios ad epist. Pauli ad Theodemirum Abb. (in Maji Scriptt. vett. nova collectio, vii. i. 274); Praef. in epist. ad Rom. (in Fabricii Bibl. mediae et infimae Latin. i. 1087); Comm. in epist. ad Galatas (Paris. 1542. 8. Bibl. Patrum, Lugd. xiv. p. 134); Praefatio exposit. in epist. ad Ephesios ad Ludov. Pium (ap. Mabillon, l. c. p. 91); Expositio epist. ad Philemonem (in the Spicileg. Rom. ix. i. 109); Dicta in lectionem s. Evangelii sec. Matthaeum, viii. 1–13; xi. 25–29; xx. 1–16; and in epist. ad Rom. viii. 1–27 (in Claudii Taur. Ep. in editorum operum specimina, praemissa de ejus doctrina scriptisque diss. exhibuit A. Rudelbach. Havn. 1824. 8). Many are still lying in the libraries. Cf. Rich. Simon. Hist. crit. des principaux commentateurs du N. T. p. 353. The same author's Critique de la bibliothèque de M. du Pin. i. 284. Oudinus de Scriptt. eccl. ii. 26. Claudius of Turin by Dr. T. Schmidt in Illgen's Zeitschr. f. d. hist. Theol. 1843, ii. 39.

²⁰ Comm. in evang. Matthaei, ed. Argentorati, 1514. Op. Jo. Secerii. Hagenoae. 1530. Bibl. PP. Lugd. xv. 86. Cf. Rich. Simon Hist. des princip. comm. du N. T. p. 370. The same author's Critique de la bibl. de M. du Pin. i. 299. That Druthmar does not belong to the 11th century, as after Fabricius, Bibl. med. et inf. Latin. i. 374, is assumed even by Wachler, Gesch. d. Literatur, Th. 2 (2te Umarbeit. S. 59), may be seen in Histoire lit. de France, v. 85. Bähr, S. 401.

²¹ The contemporaries Hinemar and Anastasius (Ep. ad Carolum in Usserii Vett. epist. Hibern. sylloge. Dublin. 1632. p. 40, ss.) call him Scotigena; Trithemius for the first time Erigena. The story of his return to England and violent death has been often derived from the act of confounding him with one Johannes presbyter et monachus ex Eald-saxonum genere (Asserii Hist. Alfredi regis) s. Mabillon ann. Benedict. lib. xxxv. § 39, lib. xxxviii. § 72. Hist. lit. de la France, v. 418. Hjort, S. 44. See on the opposite side Staudenmaier, S. 115. Works: De divisione naturae libb. v. (ed. Th. Gale, Oxon. 1681. fol.) De praedestinatione Dei.—Opera S. Dionysii latine versa. Joh. Scotus Erig. od. v. d. Ursprung einer christlichen Philosophie u. ihrem heill. Beruf, v. D. Peder Hjort. Kopenh. 1823. 8. H. Schmid der Mysticismus des Mittelalters in seiner Entstehungsperiode. Jenae. 1824. 8. S. 114, ff. Joh. Scot. Erig. u. die Wissenschaft seiner Zeit v. Dr. F. A. Staudenmaier, Th. 1. Frkf. a. M. 1834. Dr. Nic. Möller, Joh. Scot. Erig. Mainz. 1844. Philosophia Erigenae ex ipsius principiis delineata ab A. Torstrick. P. i. Gotting. 1844. 8. Helfferich die christl. Mystik. Gotha, 1842. 2 Th. Baur's Lehre von der Dreieinigkeit, ii. 274. Ritter's Gesch. der christl. Philos. iii. 206. Die Lehre des Joh. Scotus Erigena vom Wesen des Bösen von M. Frommiller, in Steudel's Tübinger Zeitschrift f. Theol. 1830. i. 49, iii. 74.

the acquirements demanded of the pastors²² must still have been very low were it for no other reason than the want of books.²³ Charles particularly recommended frequent preaching,²⁴ and to this end caused a *homiliarium* to be compiled;²⁵ which plan of

²² Freculph, bishop of Lisieux, writes to Rabanus (Rab. Opp. ii. 4) : Nulla nobis librorum copia suppeditat,—dum in episcopio nostrae parvitati commisso nec ipsos novi veterisque testamenti repéri libros, multo minus horum expositiones.

²³ Capit. Aquisgran. ann. 789, cap. 68, especially capitula de doctrina clericorum in the Capitulare Aquense, ann. 802 (Pertz, iii. 107) : Haec sunt, quae jussa sunt discere omnes ecclesiasticos : 1. Fidem catholicam S. Athanasii et caetera quaecunque de fide ; 2. Symbolum etiam apostolicum ; 3. Orationem dominicam ad intelligendum pleniter cum expositione sua ; 4. Librum sacramentorum pleniter tam canonem missasque speciales ad commutandum pleniter ; 5. Exorcismum super catechumenum sive super daemoniacos ; 6. Commendationem animae ; 7. Poenitentiale ; 8. Computum ; 9. Cantum Romanorum in nocte ; 10. Et ad missa similiter ; 11. Evangelium intelligere, seu lectiones libri comitis ; 12. Homilias dominicis diebus et solemnitatibus dierum ad praedicandum canonem ; monachi regulam similiter et canonem firmiter ; 13. Librum pastoralem canonici atque librum officiorum ; 14. Epistolam Gelasii pastoralem ; 15. Scribere chartas et epistolas. Hincmar's (archbp. of Rheims) Capitula Presbyteris, data ann. 852, may be considered a commentary on these (ap. Mansi, xv. 475), c. 1 : Ut unusquisque Presbyterorum expositionem symboli, atque orationis dominicae juxta traditionem orthodoxorum patrum plenius discat, exinde praedicando populum sibi commissum sedulo instruat. Praefationem quoque canonis et eundem canonem intelligat, et memoriter ac distinete proferre valeat, et orationes missarum, Apostolum quoque et Evangelium bene legere possit; psalmorum etiam verba et distinctiones regulariter, et ex corde cum canticis consuetudinariis pronuntiare sciatur. Nec non et sermonem Athanasii de fide, cuius initium est : Quicunque vult salvus esse," memoriae quisque commendet et sensum illius intelligat, et verbis communibus enuntiare queat. Farther, he must know by heart, c. 2, ordinem baptizandi ; c. 3, exorcismos et orationes ad catechumenos faciendum, ad fontes quoque consecrandum, et caeteras preces super masculos et feminas, pluraliter atque singulariter ; c. 4, ordinem reconciliandi atque unguendi infirmos, orationes quoque eidem necessitati competentes, similiter ordinem et preces in exequiis atque agendis defunctorum, nec minus exorcismos et benedictiones aquae et salis ; c. 8, homilias xl. Gregorii quisque Presbyter studiose legat et intelligat : et ut cognoscat, se ad formam lxxii. discipulorum in ministerio ecclesiastico esse promotum, sermonem praedicti doctoris de lxxii. discipulis a Domino ad praedicandum missis plenissime discat ac memoriae tradat. Computo etiam necessario et cantu per anni circulum plenissime instruatur. Similar are the Capitula Walterii Episc. Aurelianensis (Mansi, xv. 503).

²⁴ Capit. i. ann. 813, c. 14, and the synods held in the same year. Arelatens. c. 10. Mogunt. c. 25. Rhemens. c. 14, 15. Turon. c. 4, c. 17 : Quilibet Episcopus habeat homilias continentis necessarias admonitiones, quibus subjecti erudiantur.—Et ut easdem homilias quisque aperte transferre studiat in rusticam Romanam linguam, aut Theotiscam, quo facilis cuncti possint intelligere quae dicuntur. Cabilonense, c. 2. Theodulphi Capit. ad parochiae suae sacerdotes, c. 28 (ap. Mansi, xiii. 28) : Hortamus vos paratos esse ad docendas plebes. Qui Scripturas scit, praedicet Scripturas : qui vero nescit, saltem hoc, quod notissimum est, pleibus dicat, ut declinet a malo et faciant bonum, inquirant pacem et sequantur eam, etc. Neander's K. G. iii. 246, iv. 219. Schmidt in the Theol. Stud. u. Krit. 1846, ii. 250. K. v. Raumer's Einwirkung des Christenth. auf die althochdeutsche Sprache. Stuttgart. 1845. S. 250.

²⁵ Carol. M. in Homiliarium Pauli Diac. about 788 (ap. Baluz. i. 203. Bouquet, v. 622) : Quia curae nobis est, ut Ecclesiarum nostrarum ad meliora semper proficiat status, obliteratam paene majorum nostrorum desidia reparare vigilanti studio literarum satagimus officinam, et ad pernoscenda sacrorum librorum studia nostro etiam quos possumus invi

popular instruction was followed under his successors.²⁶ *Theodulph*, bishop of Orleans († 821), one of the trustiest assistants of Charlemagne, also established schools for the common people in his diocese.²⁷ His example was followed by some, but probably not many.²⁸ It was generally believed, that the people were sufficiently furnished with knowledge if they knew the *pater noster* and the creed;²⁹ and even this small requirement was enforced by punitive laws.³⁰ Clerical compositions which now

tamus exemplo,—quia ad nocturnale officium compilatas quorundam casso labore, licet recto intuitu, minus tamen idonee reperimus lectiones; earundem lectionum in melius reformare tramitem, mentem intendimus, idque opus Paulo Diacono familiari nostro elmandum injunximus.—Qui nostrae celsitudini devote parere desiderans, tractatus atque sermones et homilias diversorum catholicorum Patrum perlegens, et optima quaeque decerpens in duobus voluminibus per totius anni circulum congruentes cuique festivitatibus distincte et absque vitiis nobis obtulit lectiones. Quarum omnium textum nostra sagacitate perpendentes, nostra etiam auctoritate eadem volumina constabilimus, vestraeque religioni in Christi Ecclesiis tradimus ad legendum. The Homiliarum was printed, Spirae. 1482; Basil. 1493, fol., and in the 16th century frequently.

²⁶ Ludov. P. capit. Aquisgr. ann. 816, c. 28. Syn. Mogunt. ann. 847, c. 2, repeats the can. 17 Conc. Turon. ann. 813 [see note 24]. How low the state of preaching had fallen about this time in Italy may be seen from the Rescriptum consultationis Epp. ad domn. Ludovic. II. Imp. [about 855], c. 3, ap. Baluz. ii. 352.

²⁷ On Theodulph see Hist. lit. de la France iv. 459. Bähr S. 359. See capitulare ad parochiae suae sacerdotes (ap. Mansi, xiii. 993, ss.) c. 20: Presbyteri per villas et vicos scholas habeant, et si quilibet fidelium suos parvulos ad discendas literas eis commendare vult, eos suscipere et docere non renuant, sed cum summa caritate eos doceant.—Cum ergo eos docent, nihil ab eis pretii pro hac re exigant, nec aliquid ab eis accipiant, excepto quod eis parentes caritatis studio sua voluntate obtulerint.

²⁸ Herardi Archiep. Turonensis Capitula, A.D. 858, c. 17 (Baluz. i. 1286): Ut scholas Presbyteri pro posse habeant, et libros emendatos. Walterii Episc. Aurelian. cap. c. 6. (Mansi, xv. 506): Ut unusquisque Presbyter suum habeat clericum, quem religiose educare procuret: et si possilitas illi est, scholam in Ecclesia sua habere non negligat.

²⁹ The precept to learn both was often repeated, Ex. gr. Conc. Mogunt. 813, c. 45 (Mansi, xiv. 74): Symbolum, quod est signaculum fidei, et orationem dominicam discere semper admonent sacerdotes populum christianum. Volumusque, ut disciplinam dignam habeant, qui haec discere negligunt, sive in jejunio, sive in alia castigatione emendentur. Propterea dignum est, ut filios suos donent ad scholam, sive ad monasteria, sive foras Presbyteris, ut fidem catholicam recte discant, et orationem dominicam, ut domi alios edocere valeant. Et qui aliter non potuerit, vel in sua lingua hoc discat. Properly it should then have been learned in Latin, and hence arose the popular belief combated by Charlemagne in the Capitol. Francof. ann. 794, c. 50: Ut nullus credat, quod non nisi in tribus linguis Deus orandus sit: quia in omni lingua Deus adoratur, et homo exauditur, si justa petierit. In particular, every one was to teach his godsons. Raumer's Einwirkung des Christenthums auf die althochdeutsche Sprache, S. 266. A written exhortation to learn both, and to teach their godchildren, belonging to this period, in German and Latin, is published in Massmann's deutschen Abschwörungs-, Glaubens-, Beicht- und Betformeln vom 8ten bis zum 12ten Jahrh. Quedlinb. u. Leipz. 1839. S. 150.

³⁰ Cap. Aquens. ann. 802, c. 15 (Pertz, iii. 106): Ut nullus infantem vel alium ex paganis de fonte sacro suscipiat, antequam symbolum et orationem dominicam Presbytero suo reddat. Capit. ann. 804, c. 2 (Pertz, iii. 130): Et si quis ea nunc non teneat, aut vapulet, aut jejunet de omni potu excepta aqua, usque dum haec pleniter valeat. Et qui ista consentire noluerit, ad nostram praesentiam dirigatur. Feminae vero aut flagellis aut

began to appear in the native language,³¹ i.e., in the German, could only influence the multitude, in the first instance, through the priests.³² Spiritual poems were especially adapted to bring Christian ideas into the living consciousness of the people.³³ Among these, two poetical *Harmonies of the Gospels* must be noticed, the one in the old Saxon language, and in the alliterative form (about 830), which in a true poetic spirit attaches itself to the popular poesy ;³⁴ the other, by the Weissenburg monk *Otfried* (868) in the Frankish dialect and in rhyme, which maintains a spiritual didactic tone.³⁵ The clergy alone³⁶ studied

jejunii constringantur. Quod Missi nostri cum Episcopis praevideant ut ita perficiatur : et Comites similiter adjuvant Episcopis, si gratiam nostram velint habere, ad hoc constringere populuni, ut ista discant. Cf. Conc. Mogunt. note 28.

³¹ On the fragments of an old High German Matthew, see Räumer's Einwirk. d. Christenth. auf die althochdeutsche Sprache, S. 35, the Gospel Harmony of Tatian (ed. J. A. Schmeller. Viennae. 1841. 4), Räumer S. 36, catechetical memorials (published in Massmann's deutschen Abschöwrungs-, Glaubens-, Beicht- und Betformeln), Raumer, S. 47, fragments of sermons, Raumer, S. 66. An interlinear version of the Benedictine rule by Kero, and a translation of Isidorus de Nativitate Domini, Räumer, S. 42.

³² The German glosses on Biblical and ecclesiastical writers were intended for the clergy in particular. See Räumer, S. 81, 218.

³³ Hymnorum veteris Ecclesiae xxvi. interpretatio theotisca, ed. Jac. Grim. Gottingae. 1830. 4. Spiritual songs belonging to the ninth century, in Hoffmann's Fundgruben i. Gesch. deutscher Sprache u. Literatur. Th. 1 (Breslau. 1830), S. 1, ff. A translation of the Psalms in the low German dialect, published by F. H. v. d. Hagen. Breslau. 1816. 4. Dr. K. G. P. Mackernagel's deutsches Kirchenlied. Stuttgart. 1841. gr. 8. S. 38.

³⁴ Heliand, or the old Saxon Gospel Harmony, published by J. A. Schmeller, two parts, München. 1830 and 39. 4to. Without doubt what the praef. in Librum ant. lingue Saxonica conscriptum in Flacii Catalog. testium veritatis no. 101, p. 126, relates of Lewis the Debonaire, refers to it: Praecepit cuidam viro de gente Saxorum, qui apud suos non ignobilis vates habebatur, ut vetus ac novum Testamentum in germanicam linguam poëtice transferre studeret, quatenus non solum literatis, verum etiam illiteratis sacra divinorum praeceptorum lectio panderetur. Qui jussis imperialibus libenter obtemperans—ad tam difficile tamque arduum se statim contulit opus.—Igitur a mundi creatione initium capiens, juxta historiae veritatem quaeque excellentiora summatim decerpens, et interdum quaedam ubi commodum duxit mystico sensu depingens, ad finem totius Veteris ac Novi Testamenti interpretando more poëtico satis faceta eloquentia perduxit, etc. Cf. Walch de pietate Ludov. P. diss. § 20, in Pottii Syll. comm. theol. iv. 309. Dr. A. F. C. Vilmar's deutsche Alterthümer im Heliand als Einkleidung der evangel. Geschichte. Marburg. 1845. 4.

³⁵ Krist, das älteste von Otfried im 9ten Jahrh. verfasste hochdeutsche Gedicht, kritisch herausgeg. von C. G. Graff. Königsberg. 1831. 4. On both Gospel Harmonies see Gerinus Gesch. d. poet. National-Literatur der Deutschen, Th. i. (3te Ausg. Leipzig. 1846), S. 81. Vilmar's Vorlesungen über die Gesch. d. deutschen National-Literatur. Marburg u. Leipzig. 1845, S. 33.

³⁶ Of whom many were exclusively occupied with this department. See Agobardus de Correctione antiphonarii, c. 18 (ed. Baluz. ii. 99): Quamplurimi ab ineunte pueritia usque ad senectutis canitiem omnes dies vitae suae in parando et confirmando cantu ex-pendunt, et totum tempus utilium et spiritualium studiorum, legendi videlicet et divinae eloquia perscrutandi, in istiusmodi occupatione consumunt; quodque animabus eorum proculdubio valde est noxiom, ignari fidei suae, insci Scripturarum sanctarum, et divinæ

the Latin Church music; while the people sang simply *Kyriceleison*.³⁷

§ 11.

POSITION OF THE FRANK CHURCH IN THE CONTROVERSY CONCERNING IMAGE-WORSHIP.

See the literature before § 1, especially Walch's *Ketzerhist.* xi. 1.

In the controversy concerning images, the Frank Church gave evident proof, not only of its independence of the Romish see, but of its higher theological culture. Of the transactions, indeed, of the synod at *Gentiliacum* (767),¹ connected with a Greek embassy, we know nothing further; but Charlemagne caused a refutation of the decrees of the second Nicene council (*libri Carolini*),² to be drawn up (790),³ and, without being

intelligentiae inane ac vacui, hoc solum sibi sufficere putant; et ob hoc etiam ventosi et inflati incedunt, si sonum et vocem decantationis utcunque addiscant, et in numero canticorum deputari videantur.

³⁷ Stat. Salisb. ann. 799, f. § 8, note 1. Dr. H. Hoffmann's *Gesch. d. deutschen Kirchenliedes* bis auf Luthers Zeit. Breslau. 1832, S. 3.

¹ Annales Lauriss. ad ann. 767: Tunc habuit dominus Pippinus Rex in supradicta villa [Gentiliaco] Synodus magnam inter Romanos et Graecos de s. Trinitate et de Sanctorum imaginibus.

² Prim. ed. Eli. Phili. (Elias Philyra, i. e., Jean du Tillet, afterward bishop of Brieux, then of Meaux. See du Chesne Scriptt. Franc. ii. p. 352) 1549. Reprinted in Goldasti Imperial. decret. de cultu imaginum, p. 67, ss., and in his Collectio constitutionem imperialis, i. 23, ss. Last: Augusta Conc. Nic. ii. censura, h. e., Caroli M. de impio imaginum cultu libb. iv. ed. Ch. A. Heumann. Hanover. 1731. 8. Mentioned by the Syn. Paris (see below, note 8), and Hinemar Opusc. adv. Hinemar, Laudunensem, c. 20.—Sixti Senensis praef. in Biblioth. sanctam (Venet. 1566) p. 3, advances the singular opinion, in which, however, others have followed him, that Andr. of Carlstadt was the author. On the other hand, Baronius, ad ann. 794, § 30. Bellarmine and many others say, that they were the work of a heretic, and sent to Rome by Charlemagne for condemnation. Correct is the opinion of Sirmond Concil. Gall. ii. 19. Natalis Alex. Diss. de imaginibus in his Hist. eccl. v. 782. Hist. lit. de la France, iv. 410, etc. Comp. chiefly Walch's *Ketzerhist.* xi. 49. That these books were written in 790 follows from the praef. ad. libr. i., according to which the Nicene synod was held ferme ante triennium. Charlemagne alone appears as the speaker, for example, lib. i. c. 6: Venerandae memoriae genitoris nostri—Pippini regis cura, etc. He had, indeed, aid from others, from Alcuin, it is commonly supposed; this position has been recently defended against Frobenius's doubts, expressed in his edition of Opp. Aleuini, ii. 459, by Lorenz in Aleuin's Leben (life), p. 132. Neander, K. G. iii. 475. Gfrorer, K. G. iii. ii. 624.

³ Fundamental principles of these books: lib. ii. c. 21: Solus igitur Deus colendus, solus adorandus, solus glorificandus est, de quo per Prophetam dicitur: "Exaltatum est nomen ejus solius" (Ps. cxlviii. 13): cuius etiam Sanctis, qui triumphato diabolo cum eo regnante, sive quia viriliter certaverunt, ut ad nos incolumis status Ecclesiae perveniret,

satisfied with Pope Hadrian's reply,⁴ the worship of pictures was rejected at the *Synod of Frankfurt* (794),⁵ according to later accounts, with the approbation of the English Church.⁶ An embassy which King Michael *Balbus* sent to Lewis the Debonaire, and to Rome,⁷ led to another declaration of the *Synod of Paris*

sive quia eandem Ecclesiam assiduis suffragiis et intercessionibus adjuvare noscuntur, veneratio exhibenda est: imagines vero, omni sui cultura et adoratione seclusa, utrum in basilicis propter memoriam rerum gestarum et ornamentum sint, an etiam non sint, nullum fidei catholicae adferre poterunt praejudicium: quippe cum ad peragenda nostrae salutis mysteria nullum penitus officium habere noscantur. Lib. iii. c. 16: Nam dum nos nihil in imaginibus spernamus praeter adorationem, quippe qui in basilicis Sanctorum imagines non ad adorandum, sed ad memoriam rerum gestarum et venustatem parietum habere permittimus: illi vero paene omnem suae credulitatis spem in imaginibus colligent; restat, ut nos Sanctos in eorum corporibus vel potius reliquis corporum, seu etiam vestimentis veneremur, juxta antiquorum Patrum traditionem: illi vero parietes et tabulas adorantes in eo se arbitrentur magnum fidei habere emolumenntum, eo quod operibus sint subjecti pictorum. Nam etsi a doctis quibusque vitari possit hoc, quod illi in adorandis imaginibus exercent, qui videlicet non quid sint, sed quid innuant venerantur, indocit tamen quibusque scandalum generant, qui nihil aliud in his praeter id quod vident venerantur et adorant.

* Epist. Hadriani P. ad Carol. R. de imaginibus, qua confutantur illi, qui Synodus Nicaenam ii. oppugnarunt, ap. Mansi, xiii. 759 (p. 795: Praedecessores nostri saepius dicti sanctissimi pontifices in sacris conciliis talem dedere sententiam: si quis sanctas imagines Domini nostri J. Chr. et ejus genitricis, atque omnium Sanctorum secundum SS. Patrum doctrinam venerari noluerit, anathema sit. Cf. Conc. Lateran. ann. 769, Act. iv. ap. Mansi, xii. 720).

⁵ Conc. Francofurtensis, can. ii. prim. ed. du Tillet in praef. ad libr. Carol. (from an old Cod. Ecclesiae Remensis, see Baluz. ad Capitt. ii. 753) ap. Mansi, xiii. 909: Allata est in medium quaestio de nova Graecorum synodo, quam de adorandis imaginibus Constantinopoli fecerunt, in qua scriptum habebatur, ut qui imaginibus Sanctorum, ita ut deificae Trinitati, servitum aut adorationem non impenderent, anathema judicarentur. Qui supra, sanctissimi Patres nostri, omnimodis et adorationem et servitutem eis renuentes contenserunt atque consentientes condemnaverunt. Comp. Annales Laurissenses, ad ann. 794, of the Frankfurt Synod: Pseudosynodus Graecorum, quam falso septimam vocabant, et pro adorandis imaginibus fecerunt, rejecta est a Pontificibus. Einhard. de. Gest. Car. M. ad ann. 794. Synodus etiam, quae ante paucos annos in Constantinopoli sub Irene et Constantino filio ejus congregata, et ab ipsis non solum septima, verum etiam universalis erat appellata, ut nec septima nec universalis haberetur diceretur, quasi supervacua in totum omnibus abdicata est (the Nicene synod was closed at Constantinople). Basquez, Suarez, Surius, Vinius, and others, pretend that the decrees of the Nicene synod were confirmed at Frankfurt, and, on the contrary, the Pseudoseptima, A.D. 754, rejected. Baronius, Bellarmine, Natalis Alex., and others, think that the Nicene decrees were misunderstood and rejected in a false sense. Barruel du Pape et de ses droits religieux, Paris. 1803, ii. 402, declares the Frankfurt Acts supposititious. Correct is the opinion of Sirmond ad Conc. Francof. Petav. Dogmat. theol. lib. xv. c. 11. J. Mabillon de Cultu sacrarum imaginum. prefixed to his Act. SS. Ord. S. Bened. saec. iv. vol. i.

⁶ So first Simeon Dunelmensis (about 1100) Hist. de gestis regum Anglorum (in Twysden Hist. Angl. scriptores decem. i. 111), from whom first Rogerus de Hoveden (about 1198) in his Annal. Anglican. ad. ann. 792, drew; comp. Wilkins Conc. magn. Britann. i. 73. Dalaeus de Imag. lib. iii. c. 2, p. 380. Gfrörer K. G. iii. ii. 621.

⁷ Its object see in Michaelis Balbi Ep. ad Ludov. P. A.D. 824 (cf. § 1, note 22): Propterea quidam illorum, qui noluerunt suspicere Concilia localia et a veritate redargui, fugerunt hinc et venerunt ad antiquam Romam,—injuriam et calumnias Ecclesiae inferentes et

(825) against image-worship, at this time accompanied with an express rebuke of the pope.⁸ The Franks, indeed, were not successful in reconciling the pope and the Greeks by means of their views;⁹ but, on the other hand, neither did the pope venture

verae religioni detrahentes.—Unde honorem Ecclesiae Christi quaerentes fecimus literas ad s. Papam antique Romae, et eas missimus per praedictos Missos nostros ad eum.—De caetero ordinet vestra spiritalis Dilectio, ut cum omni honore et illaesione ad eum veniant, auxilium eis ferentes in his, quae Deo placeant,—jubentes ei, ut si a modo manifesti fuerint quidam seductores pseudo-christiani, Ecclesiae calumniatores, illuc eos expellere, etc.

⁸ Acta Synod. Paris. prim. ed. (Jac. Bongars). Francof. 1596. 12. Also in Goldasti Imp. decret. p. 623. First included in the collections of Councils, by Mansi, xiv. 415. Comp. Walch, xi. 96. Synod. Paris. ad. Ludov. et Lotharium Imp. (ap. Goldast. p. 626, ss.): Primum epistolam domini Hadriani Papae, quam pridem pro imaginibus erigendis Constantino Imp. et Helenae matri ejus ad eorum precationem in transmarinis partibus direxit, coram nobis legi fecimus, et quantum nostrae parvitati res patuit, sicut juste reprehendit illos, qui imagines Sanctorum temerario ausu in illis partibus confringere et penitus abolere praesumserunt, sic indiscrete noscitur fecisse in eo, quod superstitione eas adorare jussit. Inseruit etiam in eadem epistola quedam testimonia SS. Patrum, quantum nobis datur intelligi, valde absona, et ad rem, de qua agebatur, minime pertinientia. Eandem porro Synodus [Nicaenam] cum s. memoriae genitor vester coram se suisque perlegi fecisset, et multis in locis, ut dignum erat, reprehendisset, et quaedam capitula, quae reprehensione patebant, praenotasset, eaque per Angilbertum Abbatem eidem Hadriano Papae direxisset, ut illius judicio et auctoritate corrigerentur; ipse rursus favendo illis, qui ejus instinctu tam superstitionis quamque incongrua testimonia memorato operi inseruerant, per singula capitula in illorum excusationem respondere quae voluit, non tamen quae decuit, conatus est. Talia quippe quaedam sunt, quae in illorum objectionem opposuit, quae remota pontificali auctoritate, et veritati et auctoritate refragantur. Sed licet in ipsis objectionibus aliquando absona, aliquando inconvenientia, aliquando etiam reprehensione digna testimonia defensionis gratia proferre nisus sit; in fine tamen ejusdem apologiae sic sentire et tenere et praedicare ac praecipere de his quae agebantur professus est, sicut a b. Papa Gregorio institutum esse constabat (see Vol. I. Div. II. § 121, note 10). Quibus verbis liquido colligitur, quod non tantum scienter, quantum ignoranter in eodem facto a recto tramite deviaverit. Venerabilis namque Reculhus Episc. subtiliter prudenterque, qualiter ipse et Adegarius socius illius (the two Frank ambassadors, who had accompanied the Greek ambassadors to Rome), egissent, viva voce parvitati nostrae innotuit. Sed cum prudenti relatu illius cuncta cognovissimus, qualiter partim veritatis ignorantia, partim pessimae consuetudinis usu hujus superstitionis pestis illis in partibus (Rome and Italy) inolevisset, et priora et posteriora studiosissime considerassemos, intelleximus, quantum nobis res patuit, quo zelo ad haec consideranda vestra s. Devotione excitata fuerit. Non enim ignoramus animum vestrum magno taedio posse affici, cum illos a recto tramite quoquo modo conspicitis deviare, qui, summa auctoritate praediti, deviantes quosque debuerant corripere (the Pope). Sed quoniam maximum vobis in eo obstaculum erat, eo quod pars illa, quae debebat errata corrigerre, suaque auctoritate hujusc superstitutionis errori obniti, ipsa prorsus eidem superstitioni non solum resistere, verum etiam inculta defensione contra auctoritatem divinam et SS. Patrum dicta nitebatur suffragari, aperuit vobis Dominus ostium juxta optatum vobis desiderium, ut licentiae vobis ab eadem tribueretur auctoritate tantae rei cum vestris quaerendi familiariter veritatem—quatenus sancto vestro desiderio ac vigilanti studio veritas patefacta, dum se in medium ostenderet, etiam ipsa auctoritas volens noleisque veritati cederet atque succumberet.

⁹ This was the object, the Parisian fathers advising for this end the following, l. c. p. 631: Credimus itaque, quod illos reprehendendo, illisque compatiendo, istos vero demulcendo, laudando et praeferrendo, eorumque auctoritatem magnis laudum praeconiis efferendo, et s.

to treat the Franks, as his predecessors treated the Greeks. Throughout the ninth century, the worship of images continued to be rejected in the empire of the Franks,¹⁰ without Rome excommunicating any one on that account.

This is the more remarkable, inasmuch as the Frank Churches, in some cases, went still farther than the Greeks themselves, in the ninth century, in the growing civilization. *Claudius*,¹¹ as bishop

Romanae Ecclesiae condignam laudem deferendo, veritatem tamen ex testimonis SS. Scripturarum et sententiis SS. Patrum in medium proferendo, et veraciter sobrieque expoundingo, poterit vestra sanctissima Devotio, sicut optat, utrisque consulere. Sic quippe refragator vinculis veritatis modo blandiendo, modo honorando, modo secundum rationem veritatem demonstrando subtiliter adstrictus, non audebit aliter docere, quam quod veritas habet, etc. In the same spirit also Lewis issued his letter to Eugenius II. and the comonitorium [instruction] to the ambassadors sent to Rome, Jeremy, archbishop of Sens, and Jonas, bishop of Orleans (ap. Goldast. p. 747. Baluzii Capitul. i. 643, and thence in Mansi, in the App. ad t. xv. 435). In these instructions we read, among other things: Sed et vos ipsi tam patienter ac modeste cum eo de hac causa disputationem habeatis, ut summopere caveatis, ne nimis ei resistendo eum in aliquam irrevocabilem pertinaciam incidere compellatis, sed paulatim verbis ejus quasi obsequendo magis quam aperte resistendo ad mensuram, quae in habendis imaginibus tenenda est, eum deducere valeatis. Postquam vero hanc rationem de earundem imaginum causa consummaveritis, si tamen hoc ad nihilum Romana pertinacia permiserit,—eum interrogetis, si ei placeat, ut nostri Legati pariter cum suis in Graeciam pergent, etc.

¹⁰ Anastasius in his Praef. in septimam Synodus ad Joann. VIII. Papam about 880 (ap. Mansi, xii. 983) : Quae enim super venerabilium imaginum adoratione praesens Synodus docet, haec et apostolica sedes vestra—antiquitus tenuit, et universalis Ecclesia semper venerata est et haec tenuit: quibusdam dumtaxat Gallorum exceptis, quibus utique nondum est harum utilitas revelata. Ajunt namque, quod non sit quodlibet opus manuum hominum adorandum, etc. The annales Metteuses (toward the end of the tenth century) write ad ann. 794, still without ever stumbling at them, after the old annalists, Pseudosynodus Graecorum pro adorandis imaginibus habita, et falso septima vocata, ab Episcopis damnatur (ap. Pertz. i. 335).

¹¹ Comp. above, § 10, note 19. The root of his doctrines was Augustinism, comp. his praef. in Comm. ad epist. Pauli (in Maji Scriptt. vett. nova coll. vii. i. 275) : De admonitione fratrum et exhortatione, unde rogasti quod scriberem, ut votum quod voverunt Domino reddant,—nullam admonitionem meliorem potui invenire, quam epistolae primae Pauli Apostoli, quam misi, quia tota inde agitur, ut merita hominum tollat, unde maxime nunc monachi gloriantur, et gratiam Dei commendat, per quam omnis qui vovit, quod vovit, Domino reddat. Expositio epist. ad Philem. (Spicileg. Rom. ix. i. 110) : Gratia est, quia nullo merito, nec opere salvamus. To this also his opponents point, Jonas de Cultu imag. lib. i. (Bibl. PP. Lugd. xiv. 169) : Patet, te dicta b. Augustini,—de cuius dictis nihil te latere jactabas, penitus ignorasse. Dungali Liber respons. (l. c. p. 204) : Augustinum adsumit, a cuius subtilitate ingenii christianique sensus rectitudine longissime distat. Alios quidem praeter eum solum paene omnes abicit. On his peculiar doctrines see Claudi Libri informationum literae et spiritus super Leviticum ad Theodemirum Abbatem, A.D. 823, at the conclusion (in Mabillonii Vett. annal. p. 91) : Et quia ita est, non jubemur ad creaturam tendere, ut efficiamur beati, sed ad ipsum Creatorem : de quo si aliud quam oportet ac sese res habet nobis persuadetur, perniciosissimo errore decipimur.—Beatitudine autem alterius hominis non fit alter beatus.—Neque prudentia cujusdam fit prudens alius, aut fortis fortitudine, aut temperans temporantia, aut justis justitia hominis alterius quisquam efficitur : sed coaptando animum illis incommutabilibus regulis luminibusque virtutum, quae incorruptibiliter vivunt in ipsa veritate sapientiaque communi, quibus et ille coaptavit, et fixit

of Turin (from 820–839) opposed the reigning prejudices with such freedom as soon to provoke the opposition (before 424),

animum, quem istis virtutibus praeditum sibi ad imitandum proposuit. Voluntas ergo adhaerens communi atque incommutabili bono impetrat prima et magna hominis bona, cum ipsa sit medium quoddam bonum. Et ideo non sit nobis religio cultus hominum mortuorum, quia si pie vixerunt non sic habentur, ut tales quaerant honores, sed illum a nobis coli volunt, quo illuminati laetantur, meriti sui nos esse consortes, etc. (from Augustin. de vera relig. c. 55). Hanc adstruento et defendendo veritatem, opprobrium factus sum vicinis meis, et timor notis meis: in tantum, ut qui videbant nos, non solum deridebant, sed etiam digito unus alteri ostendebant. Sed consolatus est nos Pater misericordiarum et Deus totius consolationis in omni tribulatione, nostra, etc. Claudii Comment. in Gal. vi. 5 (Bibl. PP. Lugd. xiv. 164): Obscure licet docemur per hanc sententiolam novum dogma, quod latitat: dum in praesenti saeculo sumus, sive orationibus, sive consiliis invicem posse nos adjuvari; cum autem ante tribunal Christi venerimus, nec Job, nec Daniel, nec Noe rogare posse pro quoquam, sed unumquemque portare onus suum.—Claudii Apologeticum atque scriptum adv. Theodemirum Abb. was, in 1461, still in the monastery of Bobbio (see Tull. Ciceronis Oratt. fragm. inedita ed. Am. Peyron. Stuttg. 1894. 4, p. 13). The codex is now in the Ambrosiani, but the Apologeticum is wanting in it (ibid. p. 167). Even Papirius Masson employed a complete codex, for he says, after the extracts which he gives before his edition of Dungal. Paris. 1608: Liber, de quo ista excerptisim, tantae magnitudinis est, quantum liber Psalmorum et L. Psalmi plus. Before Dungal only these extracts are known, and those scattered in the answer of Jonas, also in Goldasti Imper. decr. p. 764:—Postquam coactus suscepit sarcinam pastoralis officii, missus a pio Principe—Ludovico, veni in Italiam, civitatem Taurini, inveni omnes basilicas, contra ordinem veritatis, sordibus anathematum et imaginibus plenas. Et quia, quod homines colebant, ego destruere solus coepi, idcirco aperuerunt omnes ora sua ad blasphemandum me, et nisi adjuvisset me Dominus, vivum deglutissent me.—Dicunt isti, contra quos Dei Ecclesiam defendendam suscepimus, “non putamus imagini, quam adoramus, aliquid inesse divinum. Sed tantummodo pro honore ejus, cuius effigies est, tali eam veneratione adoramus.” Cui respondeo, quia, si Sanctorum imagines hi qui daemonum cultum reliquerant, venerantur, non idola reliquerunt, sed nomina mutaverunt, —Si omne lignum schemate crucis factum volunt adorare, pro eo quod Christus in cruce peperdit;—adorentur ergo puellae virgines, quia virgo peperit Christum, adorentur et praesepia, quia mox natus in praesepio est reclinatus, adorentur et veteres panni, quia continuo cum natus est pannis veteribus est involutus, etc.—Redite praevaricatores ad cor, qui recessistis a veritate et diligitis vanitatem, et estis vani facti, qui rursum crucifixis Filium Dei, et ostentui habetis, et per hoc catervatim animas miserorum socias factas daemonum habetis; alienando eas per nefanda sacrilegia simulacrorum a creatore suo, habetis eas dejectas et projectas in damnationem perpetuam.

Quod vero ais, quod ego prohibeam, homines poenitentiae causa pergere Roman, falsum tu loqueris. Ego enim iter illud nec adprobo nec improbo, quia scio, quod nec omnibus obest, nec omnibus prodest. Scimus enim, quod non intellecta evangelica verba Domini Salvatoris, ubi ait b. Apostolo Petro: “Tu es Petrus et super hanc petram aedificabo Ecclesiam meam, et tibi dabo claves regni caelorum,” propter ista jam dicta Domini verba imperitum hominum genus pro adquirenda vita aeterna, postposita omni spirituali intelligentia, volunt pergere Roman. Si proprietatem verborum Domini subtiliter consideramus, non est ei dictum: “Quocunque solveris in caelo, erit solutum et in terra, et quocunque ligaveris in caelo, erit ligatum super terram.” Ac per hoc sciendum est, quod tam diu antistitibus Ecclesiae istud ministerium concessum est, usque dum ipsi peregrinantur in hoc mortali corpore: cum vero debitum mortis reddiderint, alii succedunt loco ipsorum, qui eandem obtinent judicariam potestatem. Audite et hoc insipientes in populo, et stulti aliquando sapite, qui intercessionem Apostoli Roman pergerendo quaeritis, quid contra vos dicat idem saepe dictus b. Augustinus, etc. Promittente Deo debet fidelis quisque credere quanto magis jurante quidem dicere: “Si fuerint in medio ejus

of the abbot *Theodemir*,¹² and (827) of one *Dungal*.¹³ Still, he was not molested, though, perhaps, even in France, many believed that he went too far, and though, after his death, even there *Jonas*, bishop of Orleans (840), wrote against him.¹⁴ Ago-

Noe, Daniel et Job," i. e., si tantae sanctitatis, tantae justitiae, tantique meriti sint, quanti illi faerunt, "non liberabunt filium neque filiam" (Ezech. xiv. 20). Haec idcireo dicit, ut nemo de merito vel intercessione Sanctorum confidat, quia nisi eandem fidem, justitiam, veritatemque teneat, quam illi tenuerunt, per quam illi placuerunt Deo, salvus esse non poterit. Quinta tua in me objectio est, et displicere tibi dicis, eo quod Dominus Apostoli-
eus indignatus sit mihi. Hoc dixisti de Paschali Ecclesiae Romanae Episcopo, qui prae-
sente jam corruit vita. Apostolicus autem dicitur, quasi Apostoli custos. Certe non
ille dicendus est Apostolicus, qui in cathedra sedet Apostoli, sed qui apostolicum implet
officium. De illis enim, qui eum locum tenent, et non implet officium, Dominus dixit:
"Super cathedram Moysi sederant Scribae et Pharisaei, etc." (Matth. xxiii. 1, 2.) Comp.
Rudelbach's and Schmidt's treatises cited above, § 10, note 19. Walch's Ketzerhist. xi.
140. Neander's K. G. iv. 225.

¹² Abbot of Psalmodi in the diocese of Nismes. To him Claudius dedicated many of his commentaries, and Theodemir had mentioned to him what approbation they met with from the Frank bishops. (See Epist. prefixed to Claudii Comm. in libros Regum, in Bedae et Claudii Taur. Opuscula. Bononiae. 1755. fol. p. 7). But subsequently he took offense at the commentary on the epistles to the Corinthians, Claudii Epist. ad Theut-
mirum (l. c. p. 164): Pervenit ad manus meas epistola ex Aquis, regio directa palatio, qualiter tu librum tractatus mei, quem tibi ante biennium praestiti, in epistolas ad Corin-
thios, Episcoporum judicio atque Optimatum damnandum ad eundem jam dictum palatum
praesentari feceris. Quem tractatum ibidem non damnandum, sed scribendum amici mei
non solum humiliiter, sed etiam amabiliter suscepérunt. Ignoscat tibi Dominus, testis
vitae meae, et largitor operis mei, qui non timuisti sermonibus detrahere veritatis, et
sedens adversum me loqueris mendacium, etc. On this followed an epistle of Theodemir
in which he designates several opinions of Claudius as errors: and against him Claudius
set forth his apologeticum.

¹³ Dungali Liber responzionum adv. Claudii Taur. Ep. sententias ed. Pauperius Masson
Paris. 1608, in Bibl. PP. Lugdun. xiv. 197 (comp. Bähr, S. 372). In the prologue on ac-
count of the differences of opinion caused by Claudius, de sancta pictura, de cruce: Pari-
ratione de memorii Sanctorum causa orationis adeundis, et reliquiis eorum venerandis
obnituntur: aliis affirmantibus, bonam et religiosam esse consuetudinem, basilicas Mar-
tyrum frequentare, ubi eorum sacri cineres et sancta corpora—cum honore eorum meritis
congruo condita habentur, ubique ipsis intervenientibus corporales ac spirituales quotidie
languores, divina operante manu et gloria coruscante, copiosissime et praesentissime
sanantur: alii vero resistunt, dicentes, Sanctos post obitum nullum adjuvare, nullique
posse intercedendo succurrere, nihil eorum duntaxat scientes, quae in terris geruntur,
illorumque reliquias nullum alicujus reverentiae gratiam comitari, sicut nec ossa villissima
quorundamlibet animalium reliquamve terram communem.

¹⁴ Jonae de Cultu imaginum libb. iii. in Bibl. PP. Lugdun. xiv. 167. (Comp. Bähr, S.
394). In the praefatio: Deo dilectissimus Princeps [Ludovicus] inter caetera bonitatis
suae, studia erga divinum cultum amplificandum multiplici modo ferventia, quendam
Presbyterum, natione Hispanum, nomine Claudium, qui aliquid temporis in Palatio suo in
Presbyteratus militaverat honore, cui in explanandis SS. Evangeliorum lectionibus quantu-
lacunque notitia inesse videbatur, ut Italicae plebis (quae magna ex parte a SS. Evangel-
istarum sensibus procul aberat) sacrae doctrinae consultum ferret, Taurinensi praesulem
subrogari fecit Ecclesiae. Lib. i. above: Qui dum super gregem sibi creditum pro viribus
superintenderet—vidit eum inter caetera, quae emendatione digna gerebat, superstitiones,
imo perniciosae, imaginum adorationi, qua plurimum nonnulli illarum partium laborant, ex
inolita consuetudine deditum esse. Unde immoderato et indiscreto zelo succensus non

bard, archbishop of Lyons (from 816-840), the liberal opponent of all superstition, was little behind Claudius in his views of image and saint worship,¹⁵ without giving much offense in his

solum picturas sanctorum rerum gestarum, quae non ad adorandum sed solummodo (teste b. Gregoria) ad instruendas nescientium mentes, in Ecclesiis suis antiquitus fieri permissae, verum etiam cruces materiales, quibus ob honorem et recordationem redemptionis suae sancta consuevit uti Ecclesia, a cunctis Parochiae suaे basilicis dicitur delevisse, evertisse et penitus abdicasse. Sed quia errorem gregis sui ratione corrigere neglexit, et eorum animis scandalum generavit, et in sui detestationem eos quodammodo prorumpere coegerit—Dicitur etiam, Claudium eundem adversus reliquias Sanctorum—corumque sepulcra—quaedam nefanda dogmatizasse, et usque nunc dogmatizare. Quae licet series literarum suarum manifeste non indicit, ex his tamen, quae innuit, et ex veridica quorundam fidelium relatione, ita se rem habere liquido claret. Theodemirus—eidem Claudio, ut ab his se compesceret, literis caritate refertis mandari curavit. Ille e contra fraternae admonitionis impatiens, turbidaque indignatione permotus, non solum in illum juste se redarguentem, verum etiam in omnes s. catholicae et apostolicae Ecclesiae sincerissimos cultores Galliam Germaniamque incolentes—et ab imaginum superstitiosa adoratione immunes, diversarum reprehensionum ac vituperationum jacula intorsit, eosque et idolatria abominatione, et falsae religionis superstitione et innumeris aliis sceleribus irretitos, sicut textus suarum literarum demonstrat, appellare non erubuit. Praefatio: The book of Claudius against Theodemir had been brought to the emperor Lewis, qui ab eo suique palati prudentissimis viris examinatus justo judicio est repudiatus. On this Jonas received extracts from it from the emperor for the purpose of refuting them, but at the news of Claudius's death abandoned the task. Sed quia, ut relatione veridica didici, non modo error, de quo agitur, in discipulorum suorum mentibus reviviscit, quin, potius haeresis Ariana pullare deprehenditur, de qua fertur, quaedam monumenta librorum concessisse, et—in armario episcopii sui clandestina calliditate reliquisse; non sum ausus, quin—opus, quod praetermisseram, enucleatim, discutiendum repesterem, etc.

¹⁵ Agobardi Lib. contra eorum superstitionem, qui picturis et imaginibus SS. adorationis obsequium deferendum putant. (Comp. § 10, note 13). It is said c. 17: Non solum vero divinum deferre honorem, quibus non licet, sed et ambitiose honorare Sanctorum memorias ob captandam gloriam popularem, reprehensibile est. Arguit super his Dominus Pharisaeos in Evangelio, teste b. Hieronymo, his verbis: "Vae vobis, Scribae et Pharisaei hypocrita, qui aedificatis sepulcra Prophetarum," etc. (Matth. xxii. 29, 30). C. 23: Si serpente aeneum quem Deus fieri praecepit, quoniam errans populus tamquam idolum colere coepit, Ezechias religiosus rex cum magna pietatis laude contrivit; multo religiosius Sanctorum imagines (ipsis quoque Sanctis faventibus, qui ob sui bonorem cum divinae religionis contemtu eas adorari more idolorum indignantissime ferunt) omni genere conterenda, et usque ad pulverem sunt eradendae: praesertim cum non illas fieri Deus jusserset, sed humanus sensus excogitaverit. C. 30: Adoretur, colatur, veneretur a fidelibus Deus; illi soli sacrificetur, vel mysterio corporis et sanguinis quo sumus redempti, vel in sacrificio cordis contriti et humiliati. Angeli vel homines sancti amentur, honorentur caritate, non servitute. Non eis corpus Christi offeratur, cum sint hoc et ipsi. Non ponamus spem nostram in homine sed in Deo, ne forte redundet in nos illud propheticum: "Maledictus homo qui confidit in homine," etc. (Jer. xvii. 5). C. 31: Agit hoc nimirum versutus et callidus humani generis inimicus, ut sub praetextu honoris Sanctorum rursus idola introducat, rursus per diversas effigies adoretur; ut avertat nos ab spiritualibus, ad carnalia vero demergat; ac per omnia simus digni ab Apostolo audire: "O insensati, quis vos fascinavit?" etc. C. 35: Flectamus genu in nomine solius Jesu, quod est super omne nomen; ne si alteri hunc honorem tribuimus, alieni judicemur a Deo, et dimittantur secundum desideria cordis nostri ire in adinventionibus nostris. The verbal agreement of Claudius and Agobard in several sentences deserves particular attention. Claudius has, for example: Certe si adorandi fuissent, vivi potius quam mortui adorandi esse debuerunt, i. e., ubi similitudinem Dei habent, non ubi pecorum vel, quod verius est, lapidum seu

circle. Even in Rome itself, this tendency appears to have found adherents.¹⁶

§ 12.

ON THE ADDITION FILIOQUE IN THE CREED.

G. J. Vossii de Tribus Symbolis (ed. ii. Amstel. 1662. 4) diss. iii. § 15, ss. Mich. Le Quien Diss. de processione Sp. S. is the first of his dissertatt. Damascen. prefixed to the Opp. Joh. Damasc. i. 1. J. G. Walchii Hist. controversiae Graecorum Latinorumque de processione Spir. S. Jenae. 1751. 8. W. C. L. Ziegler's Geschichtsentwickelung des Dogma vom h. Geiste, in his theologischen Abhandl. i. 204.

An older doctrine, peculiar to the Latin fathers, viz., that the Holy Spirit proceeds from the Father and *the Son*,¹ had been inserted before this time in the Nicene-Constantinopolitan creed, in Spain;² but now, for the first time, it excited the attention of the Greeks.³ What was decided respecting it, at the Synod of *Gentilly*,⁴ is not known. As to the insertion in the symbolum which had by degrees obtained in the Frank Church,

(lignorum, vita, sensu et ratione carentium. Agobard, c. 28, exactly the same, only he says: Vivi magis quam picti.—Controversy concerning the sanctity of St. Agobard, Act. SS. Junii ii. 748. Hist. lit. de la France, iv. 571.

¹⁶ A Roman cardinal priest, Anastasius, was deposed under Leo IV. (Anastasius vita Leonis), because he had left his parish and remained five years abroad, and did not appear though he had been cited even by two councils. After the death of this pope, he entered Rome with the imperial messengers who had been sent to the new election, destroyed the images in Peter's church (imagines confregit, ignique concremavit—Dominique Jesu Christi, ejusque semper virginis genitricis iconam bipenni, quod non debuerat, ad ima dejeicit), met with adherents, and by the aid of the legates had almost become pope (l. c. vita Benedicti III.).

¹ Supported especially by the example of Augustine (de Trinit. iv. 20: Nec possumus dicere, quod Sp. S. et a Filio non procedat, neque enim frustra idem Spiritus et Patris et Filii Spiritus dicitur; v. 14. xv. 26: De utroque procedere sic docetur, etc.) and Leo the Great (Epist. xv. ad Turibium, c. 1: Tamquam—nec alius sit, qui genuit, alius, qui genitus est, alius, qui de utroque processit). Comp. Wundemann's Gesch. der Glaubenslehren, i. 383. Münscher's Dogmengesch. iii. 500.

² First appeared at the Concil. Tolet. iii. ann. 589 (ap. Mansi, ix. 981):—Credimus et in Spiritum S. dominum et vivificatorem ex Patre et Filio procedentem etc. In like manner the Conc. Tolet. viii. ann. 653, Bracar. iii. 675, Tolet. xii. 681, xiii. 683, xv. 688, xvii. 694. The Conc. Tolet. iii. c. 2, had also decreed ut per omnes Ecclesias Hispaniae—secundum formam orientalium Ecclesiarum, Concilii Constantinopolitani—symbolum fidei recitetur, ut priusquam dominica dicatur oratio voce clara a populo decantetur etc.

³ It had been so at an earlier period (about 650) Maximi Epist. ad Marinum. See Ziegler, S. 208.

⁴ Comp. § 11, note 1. More plainly Ado in Chron. ad ann. 767: Quaestio ventilata est inter Graecos et Romanos de Trinitate, et utrum Spir. S. sicut procedit a Patre ita procedat a Filio.

opinions were divided.⁵ The doctrine, however, was generally defended, for instance, by *Alcuin* and *Theodulph*.⁶ It had strong support, in particular, in the so-called *Athanasian creed*, which had also been probably brought from Spain into France.⁷ When

⁵ Walafrid. *Strabo de Rebus eccles.* c. 22 : *Apud Gallos et Germanos post dejectionem Felicis haeretici sub glorioissimo Carolo Francorum Rectore damnati, idem Symbolum latius et crebrius in Missarum coepit officiis iterari.* Paulinus Patr. Aquilejensis in *Concil. Foro Juliensi*, ann. 791 (ap. Mansi, xiii. 829) expresses himself violently indeed against additions to the creed, but what he thereby understands, see in p. 836 : *Addere vel minuere est subdole contra sacrosanctum eorum sensum, aliter quam illi, callida tergiversatione diversa sentire.* Explanatory additions therefore he does not include. Si recensetur Nicaeni symboli series veneranda, nihil aliud de Spiritu S. in ea nisi hoc modo reperiri poterit promulgatum : et in Sanctum, inquit, Spiritum—Suppleverunt tamen [cl. Patres] quasi exponendo eorum sensum, et in Spiritum S. confitentur se credere, Dominum et vivificatorem, ex Patre procedentem.—Sed et postmodum propter eos videlicet haereticos, qui susurrant Spiritum S. solius esse Patris et a solo procedere Patre, additum est : *Qui ex Patre Filioque procedit.* Et tamen non sunt hi SS. Patres culpandi, quasi addidissent aliquid vel minuissent de fide cccxviii. Patrum, quia non contra eorum sensum diversa senserunt, sed immaculatum eorum intellectum sanis moribus supplere studuerunt, etc. Ziegler, p. 211, is wrong in supposing that here there is any rejection of the addition; the reading in the symbol inserted among the Synodical Acts, p. 842 : *Qui ex Patre Filioque procedit*, is not interpolated. On the other hand Alcuinus Epist. 75 (ed. Froben.), ad fratres Lugdun.: *Hispanici erroris sectas tota vobis cavete intentione.*—Et Symbolo catholicae fidei nova nolite inserere, et in ecclesiasticis officiis inauditas priscis temporibus traditiones nolite diligere.

⁶ Alcuini Lib. de processione Spir. S. ad Car. M. first printed in Opp. Alcuin. ed. Froben i. 743. Theodulphi de Spir. S. liber (in Theodulphi Opp. ed. J. Sirmond. Par. 1646. 8; and in Sirmondii Opp. ii. 695). Cf. libr. Carolin. lib. iii. c. 3 : *Ex Patre et Filio—omnis universaliter confitetur et credit Ecclesia eum procedere.*

⁷ G. J. Vossius de Tribus symbolis. Amstelod. 1662, 4. diss. ii. Guil. E. Tentzelii Judicia eruditorum de symb. Athanas. Gothae. 1687. 12. Dan. Waterland Critical History of the Athanasian Creed. Cambridge. 1724, ed. 2, 1728. 8. Quesnelli Diss. de variis fidei libellis in antiquo Rom. Ecclesia Codice contentis (diss. xiv. in Leon. M. and in Gallandii de Vetust. canonum collectionibus dissertatt. syll. ed. Mogunt. i. 829) and Ballerinorum Obss. ad. Quesnelli diss. (ib. p. 842). D. M. Speroni de Symb. vulgo S. Athanasii dicto diss. ii. Patav. 1750, 51. D. E. Köllner's Symbolik d. luth. Kirche S. 53. All the testimonies respecting the existence of this creed before the end of the 8th century are insecure. A sermo which has fallen among the Augustinian (Opp. v. ap. Sermo 244), refers to it; but that it belongs to Caesarius Arebat. about 520, is a mere conjecture. The Expositio fidei catholicae Fortunati, published by Muratori Anecdota, ii. 212, can not be from Venantius Fortunatus, about 560, since it presupposes the Symb. Quicunque as a confession of faith already adopted in general, and endeavors to justify polemically Filioque. Probably Fortunati Expositio symb. apostol. was the reason why this expositio was also erroneously attributed to him. Respecting a Canon Augustodunensis, which mentions the fides S. Athanasii, it is uncertain to what time it belongs; many even regard it as spurious. The first certain witnesses are Theodulphus de Spir. S., a contemporary anonymous author, whom Sirmond cites in the notes to Theodulf and Agobardus adv. Felicem, c. 3. Probably, too, so early as the Cone. Francof. ann. 794, c. 31 (Baluzii Capit. i. p. 268) : *Ut fides catholica sanctae Trinitatis et oratio dominica atque Symbolum fide omnibus praedicetur et tradatur* the fides cath. s. Trin. is this symbol, which characterizes itself at the beginning and end as fides catholica. It is most likely that we should seek for the origin of it in Spain. The councils of Toledo all begin with a confession of faith, several with the unaltered Nicene creed; others enlarge it, especially in the articles respecting the Trinity

Charlemagne, at a synod in Aix-la-Chapelle (809), brought forward the matter, Pope *Leo III.* decided in favor of the doctrine, but against its insertion in the symbol.⁸

§ 13.

ADOPTIAN CONTROVERSY.

Chr. G. F. Walchii Hist. Adoptianorum. Gotting. 1755. 8. Frobenii Diss. hist. de haeresi Elipandi et Felicis, in his Opp. Alcuini, i. ii. 923. Walch's Ketzerhist. ix. 667. Neander, iii. 314.

Since Christ could only be the adopted Son of God according to the Arian creed, the Catholic Church had often asserted polemically against the Arians in Spain his natural sonship.¹ To this *Elipand*, archbishop of Toledo, and *Felix*, bishop of Urgel, appealing to older authorities,² now attached the asser-

and incarnation of Christ, just in the dialectic manner of the Symb. Quicunque, and coincide in single sentences with it, without, however, being dependent on it. So Conc. Tolet. iv. ann. 633, c. 1, vi. ann. 638, c. 1, xi. ann. 675, praef. (a similar dialectic development respecting the incarnation is in the Cone. Tolet. xiv. ann. 684, c. 8). Hence that symbol appears to have been formed after these patterns, in the seventh and eighth centuries, in Spain, and from thence to have been transferred to France toward the end of the eighth. Even the old appellation, fides Athanasii, which was afterward misunderstood, as if Athanasius were the author, points to Spain. For the catholic faith could only at first have been designated by the Arians as fides Athanasii, in opposition to fides Arii, as their creed was named by opponents; and in Spain, the party of Arius continued the longest opposed to that of Athanasius.

⁸ On the disputes of the monks at Jerusalem, Baluzii Miscellan. vii. 14. Collatio cum Papa Romae a legatis habita, et Epist. Caroli Imp. ad Leonem P. III. utraque a Smaragdo Abb. edita (ap. Mansi, xiv. 17, ss.). Anastasii vita xcvi. Leonis III. (ap. Muratori, p. 208): Hic vero pro amore et cantela orthodoxae fidei fecit in basilica S. Petri scuta argentea duo, scripta utraque Symbolo, unum quidem literis Graecis, et aliud Latinis, etc. The same is also related by Photius Epist. ad Patriarcham Aquilej. in Combeſiſii Auctario noviss. i. 529, and Petrus Lomb. Sentent. lib. i. diss. xi. (in quo quidem symbolo in processione Spiritus solus commemoratur Pater his verbis: et in Spir. S. dominum et vivificatorem ex Patre procedentem).

¹ Conc. Tolet. ann. 675, in the confessio fidei, which is found in the preface: Hic etiam Filius Dei natura est Filius, non adoptione.

² Comp. especially Walchii Hist. Adopt. cap. 1. Fabius Marius Victorinus [about 360] adv. Arium. lib. i.: Non sic Filius, quemadmodum nos. Nos enim adoptione filii, illo natura. Etiam quadam adoptione filius et Christus, sed secundum carnem. Isidorus Hispalensis Origin. s. Etymologg. lib. vii. c. 2: Unigenitus autem vocatur secundum Divinitatis excellentiam, quia sine fratribus: Primogenitus secundum suspicionem hominis, in qua per adoptionem gratiae fratres habere dignatus est, de quibus esset primogenitus. Authorities of the Adoptians enumerated in the Epist. Episcoporum Hispan. ad Episc. Galliae, and in the Epist. Elipandi ad Alcuinum (see notes 3 and 11), Ambrose, Hilary, Jerome, Augustine, Isidore of Spain, mostly inapplicable. At the close: Item praedecessores nostri Eugenius, Ildephonsus, Julianus, Toletanae antistites,

tion, that Christ, as God, was the natural, and, as man, the adopted, son of God.³ Having been long contested in Spain,⁴

in suis dogmatibus ita dixerunt in Missa de Coena Domini: "Qui per adoptivi hominis passionem, dum suo non induxit corpori, nostro demum—peperit."—Item in Missa de Ascensione Domini: "Hodie Salvator noster post adoptionem carnis sedem repetit Deitatis." Item in Missa defunctorum: "Quos fecisti adoptionis participes, jubeas hereditatis tuae esse consortes." These passages are actually found in the Liturgia Mozarabica ed. Alex. Lesle. Romae. 1755. 4. The passage of Hilarius de Trinit. ii. c. 29, has become critically remarkable: Parit virgo: partus a Deo est. Infans vagit: laudantes angeli audiuntur. Panni sordent: deus adoratur. Ita potestatis dignitas non amittitur, dum carnis humilitas adoptatur. Alcuinus c. Felicem, lib. vi. c. 6, complains of corruption, and would read *adoratur*. Agobardus adv. Felic. c. 40, explains it correctly by adsumitur (juxta hunc modum et caeteros doctores dixisse et sensisse, ubicumque nomen et verbum adoptionis in fidei dogmatibus inseruerunt, credimus). On the controversy between P. Constant, who, in his edition of Hilary, defended adoptatur and the Jesuit Barth. Germonius, who with great vehemence would have adoratur, see Walch Hist. Adopt. p. 26, ss. (Germonius went so far as to accomplish the falsification of the oldest MS. of Hilary in the Vatican in favor of his reading, by means of the royal confessor, which was discovered immediately after, and judicially authenticated. See Le Bret's pragmatische Gesch. d. Bulle in Coena Domini, Bd. 1, 2te Aufl. 1772, S. 52).

³ Epist. Episc. Hisp. ad Episc. Galliae, etc. c. 2 (in Alcuini Opp. ed. Froben. ii. 568): Nos—confitemur et credimus, Deum Dei filium ante omnia tempora sine initio ex Patre genitum—non adoptione sed genere, neque gratia sed natura:—pro salute vero humani generis, in fine temporis ex illa intima et ineffabili Patris substantia egrediens, et a Patre non recedens, hujus mundi infima petens, ad publicum humani generis apparens, invisibilis visibile corpus adsumens de virgine, ineffabiliter per integra virginalia Matris enixus: secundum traditionem Patrum confitemur et credimus, cum factum ex muliere, factum sub lege, non genere esse filium Dei sed adoptione; neque natura sed gratia, id ipsum eodem Domino attestante, qui ait: Pater major me est (Jo. xiv. 28, farther, Luc. i. 80, Jo. i. 14).—Cap. 9. Credimus igitur et confitemur Deum Dei Filium, lumen de lumine, Deum verum ex Deo vero, ex Patre Unigenitum sine adoptione; Primogenitum vero in fine temporis, verum hominem assumendo de Virgine in carnis adoptione: Unigenitum in natura: Primogenitum in adoptione et gratia. Proofs from Rom. viii. 29 (primogenitus in multis fratribus). Ps. xxii. 23. Unde fratres, nisi de sola carnis adoptione, per quod fratres habere dignatus est? Then especially 1 Joh. iii. 2 (similes ei erimus): Similes utique in carnis adoptione, non similes ei in Divinitate. For the Filius unigenitus were quoted Ps. cx. 4 (Ex uteor ante Luciferum genui te); xliv. 2; Jes. xlv. 23; Prov. viii. 25; for the Filius primogenitus et adoptivus Deut. xviii. 15 (Prophetam suscitabit Dominus Deus de fratribus vestris). Matth. xvii. 5; Ps. lxxxix. 27, ss.; Ps. ii. 8; Jes. xlv. 2, 3; Mich. vi. 7, etc. Cap. 10: (Credimus) in uno eodemque Dei et hominis Filio in una persona; duabus quoque naturis plenis atque perfectis, Dei et hominis, domini et servi, visibilis atque invisibilis, tribus quoque substantiis, verbi scilicet, animae et carnis.—Felix (ap. Alcuin, contra Felicem lib. iv. c. 2): Secundo autem modo nuncupative Deus dicitur, sicut superius dictum est de sanctis praedicatoribus, de quibus Salvator Judaeis ait: Si enim illos dixit deos, ad quos Dei sermo factus (Jo. x. 35): qui tamen non natura ut Deus, sed per Dei gratiam ab eo, qui verus est Deus, deificati dii sunt sub illo vocati: in hoc quippe ordine Dei Filius dominus et redemptor noster juxta humanitatem, sicut in natura ita et in nomine, quamvis excellentius cunctis electis, verissime tamen cum illis communicat, sicut et in caeteris omnibus, i. e., in praedestinatione, in electione, in gratia, in susceptione, in adsumptione nominis servi atque applicatione, seu caetera, his similia, ut idem qui essentialiter cum Patre et Spiritu Sancto in unitate Deitatis verus est Deus, ipse in forma humanitatis cum electis suis per adoptionis gratiam deificatus fieret, et nuncupative Deus.

⁴ First contradicted by Beatus and Eutherius. Elipandi Ep. ad Fidelem Abbatem, A.D.

Adoptianism, by penetrating into France, caused Charlemagne to interfere in the matter. *Felix* was obliged to recant at *Ratisbon* (792), and then at Rome.⁵ Elipand having complained to Charles of this treatment,⁶ the latter called the *Synod of Frankfurt* (794), at which Adoptianism was rejected anew.⁷ After many fruitless attempts of various writers, of whom *Alcuin* was the most important,⁸ to convince the Adoptians of their error,⁹

⁷⁸⁵ (preserved in the following answer, best edited in *Alcuini Opp.* ed. Froben. ii. 587). On the other side, *Beati et Etherii adv. Elipandum libb. ii.* (in *Canasii Lect. antt. ed. Basnage*, ii. i. 269, and ap. *Gallandius*, xiii. 290, but might still be corrected from *Codd. Toletanis*: cf. *Gregor. Majans in Alcuini Opp. ed. Froben. ii. 592, ss.*)—*Hadriani P. I. Epist. ad Episcopos per universam Spaniam commorantes in the Cod. Carol. no. 97, ap. Mansi*, xii. 814. Doubts of the genuineness, *Walch's Ketzerhist. Bd. ix.* 747.

⁵ In the Acts of the Synod of Narbonne, A.D. 788 (ed. *Baluz. ad de Marca Concord. Sac. et Imp. lib. vi. c. 25, ap. Mansi, xiii. 821*), the introduction and the signatures, which have reference to this subject, are perhaps spurious. *Walch*, ix. 687, 749. Concerning the transactions at the Synod of Ratisbon and in Rome see the accounts: *Alcuinus adv. Elipandum*, lib. c. 16. *Acta Conc. Rom. ann. 799* (ap. *Mansi*, xiii. 1031), and all the Frank annals.

⁶ *Epist. Episcop. Hispaniae ad Carol. M.* (prim. ed. *H. Florez in Espanna sagrada v. 558*. *Walch Hist. Adopt.* p. 154. With emendations in *Opp. Alcuini ed. Froben. ii. 567*). *Epist. Episcop. Hispaniae ad Episc. Galliae, Aquitan. et Austriæ* (l. c. p. 568, ss.).

⁷ *Acta Conc. Francofordinis* (ap. *Mansi*, xiii. 863). To this belong *Epist. Hadriani P. I. ad Episc. Hispaniae* (p. 865), *libellus Episcoporum Italiae contra Elipandum or Paullini Aquilej. libellus sacrosyllabus* (p. 873, and in the works of *Paullinus*), *Synodica Concilii ab Episc. Galliae et Germaniae ad Praesules Hispaniae missa* (p. 883), then *Can. Francof. i. (p. 909)*, and lastly *Caroli M. Epist. ad Elipandum et caeteros Episc. Hispaniae* (p. 899).

⁸ First, *Alcuini libellus adv. haeresin Felicis ad Abbates et Monachos Gothiae missus* (prim. ed. *Froben. in Opp. Alcuini*, i. ii. 759, ss.) and *Epist. ad Felicem* (l. c. p. 783, ss.).—Against the latter, *Felicis libellus contra Alcuinum*, of which remain only fragments in the works written against it. Of this work *Alcuini Epist. 68, ad dominum Regem: Hujus vero libri, vel magis erroris responsio multa diligentia et pluribus adjutoribus est consideranda. Ego solus non sufficio ad responsionem. Praevideat vero tua sancta Pietas huic operi tam arduo et necessario adjutores idoneos, etc.* *Ejusd. Epist. 69, ad eund.: De libello vero Infelicitis, non magistri sed subversoris, placet mihi valde, quod vestra sanctissima Voluntas et Devotio habet curam respondendi ad defensionem fidei catholiceae. Sed obsecro, si vestrae placeat Pietati, ut exemplarium illius libelli domino dirigatur Apostolico, aliud quoque Paullino Patriarchae, similiter Richbono, et Teudulfo Episcopis, doctoribus et magistris, ut singuli pro se respondeant.* *Flaceus vero tuus tecum laborat in reddenda ratione catholicae fidei. Tantum detur ei spatium, ut quiete et diligenter liceat illi cum pueris suis considerare Patrum sensus; quid unusquisque diceret de sententiis, quas posuit praefatus subversor in suo libello.* Et tempore praeinitio a vobis ferantur vestrae auctorati singulorum responsa. This was followed by the *Conc. Roman ann. 799*, at which *Leo III. pronounces an anathema against Felix*, ap. *Mansi*, xiii. 1029. Works written against it by *Paullinus Aquilej. libb. iii. adv. Felicem Orgelitanum* (best in *Paullini Opp. ed. J. F. Madrassi. Venet. 1737. p. 95, ss.*) and *Alcuini libb. vii. adv. Felicem* (ed. *Froben. i. ii. 783*), first appeared after the synod of Aix-la-Chapelle.

⁹ The greatest reproach against the Adoptians was constantly that of Nestorianism. For example, *Alcuinus contra Felicem, lib. i. c. 11: Sicut Nestoriana impietas in duas Christum dividit personas propter duas naturas:—ita et vestra indocta temeritas in duos eum dividit filios, unum proprium, alterum adoptivum. Si vero Christus est proprius Filius Dei Patris et adoptivus: ergo est alter et alter. Similiter si in divinitate Deus*

Felix was at last persuaded by Alcuin to yield, at a synod at *Aix-la-Chapelle* (799);¹⁰ while Elipand violently resisted all the exhortations of Alcuin.¹¹ Felix, indeed, left proofs after his death at Lyons († 818) that he had not entirely given up his opinions;¹² but with the death of its leaders, Adoptionism sank into oblivion.¹³

verus est, et in humanitate Deus nuncupativus, alter et alter est, et nullatenus sic sentientes potestis vobis evitare impietatem Nestorianae doctrinae: quia quem ille in duas personas dividit propter duas naturas, hunc vos dividitis in duos filios, et in duos Deos per adoptionis nomen et nuncupationis. Lib. iv. c. 5: Nam si duas personas in uno Christo propter apertam blasphemiam timeas fateri, tamen omnia, quae duabus personis inesse necesse est, in tua confessione confirmare non metuis. On the other hand, lib. ii. c. 12: Adsumit namque sibi Dei Filius carnem ex Virgine, et non amisit proprietatem, quam habuit in Filii nomine: sed quamquam duas habuisset post nativitatem ex Virgine naturas, tamen unam proprietatem in Filii persona firmiter tenuit. Accessit humanitas in unitatem personae Filii Dei, et mansit eadem proprietas in duabus naturis in Filii nomine, quae ante fuit in una substantia. In adsumptione namque carnis a Deo persona perit hominis, non natura. In nobis est persona adoptionis, non in Filio Dei: quia singulariter ille unus homo ex Deo conceptus et in Deum adsumptus habet proprietatem Filius Dei esse, quod omnes Sancti habent per adoptionem gratiae Dei.—Nec in illa adsumptione alius est Deus, alius homo, vel alius Filius Dei, et alius Filius Virginis: sed idem est Filius Dei, qui et Filius Virginis;—ut sit unus Filius etiam proprius et perfectus in duabus naturis Dei et hominis.

¹⁰ See on this, Confessio fidei Felicis, Orgelitanae sedis Episcopi, quam ipse post spretum errorem suum in conspectu Concilii edidit, et eis, qui in ipso errore ei dudum consentientes fuerant, direxit (ap. Mansi, xiii. 1035, ss., and in Alcuini Opp. ed. Froben. i. ii. 917, ss.), and Alcuinus adv. Elipandum, lib. i. c. 16.

¹¹ First Epist. Alcuini ad Elipandum (Opp. ed. Froben. i. ii. 863) and Epist. Elipandi ad Alcuinum (ib. p. 868), both A.D. 799. The latter begins: Reverendissimo fratri Albino Diacono, non Christi ministro, sed Antiphrasii Beati foetidissimi discipulo, tempore gloriosi Principis in finibus Austriae exorto, novo Arrio, sanctorum venerabilium Patrum Ambrosii, Augustini, Isidori, Hieronymi doctrinis contrario, si se couverterit ab errore viae suea, a Domino aeternam salutem: et si noluerit, aeternam damnationem. After this Alcuini adv. Elipandum libb. iv. (ib. p. 876, ss.).

¹² A posthumous work of his given in extracts, and refuted in Agobardi Liber adv. dogma Felicis Episc. Urgellensis ad Ludovicum Pium Imp.

¹³ In the middle ages, Folmar was accused of Adoption or Nestorian opinions (about 1160) (Walch Hist. Adoptianorum, p. 247). Comp. Cramer's Forts. v. Bossuet's Weltgesch. vii. 43). Duns Scotus (1300) and Durandus a S. Porciano (1320) allow the expression Filius adoptivus in a certain sense to Christ (Walch, l. c. p. 253).—In modern times, the Adoptians have been defended among the Catholics, particularly by the Jesuit Gabr. Vasquez. Commentar. in Thomam (Ingolst. 1606. fol.) in P. iii. diss. 89, c. 7; among the Protestants, by G. Calixtus (a Helmstadt programme of 1643, reprinted in his de Persona Christi dissertationum fasciculus ed. F. U. Calixtus. Helmst. 1663. p. 96), and others (Walch, l. c. p. 256, ss.).

§ 14.

CONTROVERSIES OF PASCHASIUS RADBERT.

The ecclesiastical mode of speaking, that bread and wine in the Lord's Supper became by consecration the body and blood of Christ, may have been frequently understood of a transformation of substance, by the uneducated; but among the theologians of the west, this misconception could not so readily find acceptance,¹ in consequence of the clear explanations given by the celebrated Augustine.² When, therefore, *Paschasius Radbert*, a monk and abbot of Corbey, from 844–851 († 865),³ expressly taught such a transformation,⁴ he met with considerable opposi-

¹ The views of the time immediately preceding Radbert (Bede, Alcuin, Charlemagne) see in Cramer's continuation of Bossuet, v. i. 222. Münscher's Lehrb. d. Dogmengesch. von v. Cölln, ii. i. 223.

² See Vol. I. Div. II. § 101, note 15.

³ Concerning him see Hist. lit. de la France, v. 287. Bähr's Gesch. d. röm. lit. im karoling. Zeitalter, S. 462.—Opera (among which the Commentar. in Evang. Matthaei, lib. xi. is still worthy of notice) ed. J. Sirmond. Paris. 1618. fol., and afterward in Bibl. PP. Lugd. xiv. 352, ss.

⁴ Pasch. Radb. lib. de Corpore et Sanguine Domini, 831, dedicated to Marinus, abbot of New Corvey: in a second edition, 844, presented to Charles the Bald. The earliest printed editions (prim. ed. Hiob. Gastius. Hagenoae. 1528. 4) are mutilated. The first genuine edition ed. Nicol. Mameranus. Colon. 1550. 8. Afterward many editions; the best in Edm. Martene et Ursini Durand Veterum script. et Monument. amplissima collectio, ix. 367. Cf. Hist. lit. de la Fr. v. 294.—Cap. 1: Patet igitur quod nihil extra vel contra Dei velle potest, sed cedunt illi omnia omnino. Et ideo nullus moveatur de hoc corpore Christi et sanguine, quod in mysterio vera sit caro et verus sit sanguis, dum sic voluit ille qui creavit. Omnia enim quaecunque voluit fecit in caelo et in terra (Ps. cxxxv. 6): et quia voluit, licet in figura panis et vini maneat, haec sic esse omuino, nihilque aliud quam caro Christi et sanguis post consecrationem credenda sunt: unde ipsa Veritas ad discipulos: "Haec, inquit, caro mea est pro mundi vita:" et ut mirabilius loquar, non alia plane, quam quae nata est de Maria, et passa in cruce et resurrexit de sepulero. Cap. 4: Sed quia Christum vorari fas dentibus non est, voluit in mysterio hunc panem et vinum vere carnem suam et sanguinem consecratione Spiritus Sancti potentialiter creari, creando vero quotidie pro mundi vita mystice immolari, ut sicut de Virgine per Spiritum vera caro sine coitu creatur, ita per eundem ex substantia panis ac vini mystice idem Christi corpus et sanguis consecretur: de qua videlicet carne et sanguine: "Amen, amen," inquit, dico vobis, nisi manducaveritis carnem filii hominis, etc." (Jo. vi. 53).—Si carnem illam vere credis de Maria virgine in utero sine semine potestate Sp. S. creatam, ut Verbum caro fieret; vero crede, et hoc, quod conficitur in verbo Christi per Sp. S., corpus ipsius esse ex Virgine,—potentia divinitatis contra naturam ultra nostrae rationis capacitatem efficaciter operatur. Cap. 8: Substantia panis et yini in Christi carnem et sanguinem efficaciter interius commutatur. Cap. 14: Examples, quod haec mystica corporis et sanguinis sacramenta—visibili specie in agni formam aut in carnis et sanguinis colorem monstrata sint, or tamquam puerulus jacens super altare, etc. Cap. 20: Non modo caro aut sanguis

tion. *Rabanus Maurus* rejected the new doctrine as erroneous.⁵ *Ratramnus*,⁶ in the opinion for which he was asked by the em-

Christi in nostram convertuntur carnem aut sanguinem, verum nos a carnalibus elevant et spirituales efficiunt. Hoc sane nutrunt in nobis, quod ex Deo natum est, et non quod ex carne et sanguine.—Frivolum est ergo—in hoc mysterio cogitare de stercore, ne commisceatur in digestione alterius cibi. Denique ubi spiritualis esca et potus sumitur, et Spiritus S. per eum in homine operatur, ut si quid in nobis carnale adhuc est, transferatur in spiritum, et fiat homo spiritualis, quid commixtiois habere poterit? Sirmond confesses at least, in his *Vita Paschacii*: Genuinum Ecclesiae catholicae sensum ita primus explicit, ut viam caeteris aperuerit, qui de eodem argumento multa postea scripserunt. Cf. *Histoire de l'eucharistie* par Matth. Larroque. Amst. 1669. 4. p. 357. H. Reuter de Erroribus, qui actae media doctrinam Christ. de s. Eucharistia turpaverunt. Berol. 1840. 8. p. 26. It is surprising that Dr. A. Ebrard (das Dogma vom heil. Abendmal u. s. Geschichte, Bd. 1. Frankf. a M. 1845, S. 406) finds in Paschasius not a substantial transformation, but only the doctrine that bread and wine became the body and blood of Christ, according to potentia (potentially).

⁵ Rab. M. Epist. ad Heribaldum Antissidorensem Episc. (written 853) cap. 33. Regnonis Abb. libb. ii. de Ecclesiast. disciplinis, ed. Baluzius p. 516, the passage corrected by MSS. in Mabillon's Iter Germ. in his Vett. analectis ed. ii. p. 17): "Quod autem interrogasti, utrum Eucharistia, postquam consumitur, et in secessum, emititur more aliorum ciborum, iterum redeat in naturam pristinam, quam habuerat, antequam in altari consecraretur: superflua est hujusmodi quaestio, cum ipse Salvator dixerit in Evangelio: "Omne quod intrat in os, in ventrem vadit, et in secessum emititur" (Math. xv. 17). Sacramentum ergo corporis et sanguinis Domini ex rebus visibilibus et corporalibus conficitur, sed invisibilem tam corporis quam animae efficit sanctificationem et salutem. Quae est enim ratio, ut hoc, quod stomačo digeritur, et in secessum emititur, iterum in statum pristinum redeat, cum nullas hoc unquam fieri asseruerit. Nam quidam nuper de ipso Sacramento corporis et sanguinis Domini non rite sentientes dixerunt, hoc ipsum esse corpus et sanguinem Domini, quod de Maria Virgine natum est, et in quo ipse Dominus passus est in cruce, et surrexit de sepulcro. Cui errori quantum potuimus, ad Eigilum Abbatem sribentes, de corpore ipso quid vere credendum sit aperuimus. This epistle to Eigilus, abbot of Prüm, is lost. Mabillon supposes it to be the Dicta cuiusdam sapientis de corpore et sanguine Domini adv. Radbertum, edited by him from a Cod. Gemblac. (Act. SS. Ord. Bened. saec. iv. ii. 591). Comp. the praef. ad h. tom. no. 57–60. See on the other hand, v. Cölln on Münscher's Lehrbuch d. Dogmengesch. ii. i. 229.—Cf. Rab. Maur. de Institutione clericorum, lib. i. c. 31 (ap. Hittorp, p. 324): Maluit enim Dominus corporis et sanguinis sui sacramenta fidelium ore percipi, et in pastum corum redigi, ut per visibile opus invisibilis ostenderetur effectus. Sicut enim cibus materialis forinsecus nutrit corpus et vegetat, ita etiam verbum Dei intus animam nutrit et roborat.—aliud est sacramentum, aliud virtus sacramenti. Sacramentum enim ore percipitur, virtute sacramenti interior homo satiatur: sacramentum in alimentum corporis redigitur, virtute autem sacramenti aeterna vita adipiscitur. Quia panis corpus confirmat, ideo ille corpus Christi congruentur nuncupatur, vinam autem, quia sanguinem operatur in carne, ideo ad sanguinem Christi refertur: haec autem dum sunt visibilia, sanctificata tamen per Spiritum S., in sacramentum divini corporis transiunt. Lib. iii. c. 13. Among the examples of oratio figurata: "Nisi manducaveritis," inquit, "carnem filii hominis," etc. (Jo. vi. 53.) Facinus vel flagitium videtur jubere. Figurata ergo est, praecipiens passionem Domini esse communicandum: et suaviter atque utiliter recolendum in memoria, quod pro nobis caro ejus crucifixæ et vulnerata sit (taken word for word from Augustin. de Doctr. christ. iii. c. 16).

⁶ Ratr. de Corpore et Sang. Domini liber ad Carol. R. (prim. ed. cum praef. Leonis Judae. Colon. 1532. 8, frequently published in the original and in translations, especially by the Reformed; best by Jac. Boileau. Paris. 1712. in 12.) Quod in Ecclesia ore fidelium sumitur corpus et sanguis Christi, quaerit vestrae Magnitudinis Excellentia, in

peror, and which has subsequently been often attributed erro-

mystero fiat an in veritate? i. e., utrum aliquid secreti continet, quod oculis fidei solummodo pateat,—et utrum ipsum corpus sit, quod de Maria natum est et passum? According to these two questions the book is divided into two parts. On the first: Ille panis, qui per sacerdotis ministerium Christi corpus efficitur, aliud exterius humanis sensibus ostendit, et aliud interius fideliū mentibus clamat. Exterius quidem panis, quod ante fuerat, forma praetenditur, color ostenditur, sapor accipitur: ast interius longe aliud, multoque pretiosius multoque excellentius intimatur, quia caeleste, quia divinum, i. e., corpus Christi ostenditur, quod non sensibus carnis, sed animi fidelis contiuu vel adspicitur vel accipitur, vel comeditur. § 2: Haec ita esse dum nemo potest abnegare, claret, quia panis ille vinumque figurate Christi corpus et sanguis exsistit.—Nam si secundum quosdam figurate nihil hic accipiatur, sed totum in veritate conspiciatur; nihil hic fides operatur, quoniam nihil spirituale geratur: sed quicquid illud est, totum secundum corpus accipitur.—At quia confitentur et corpus et sanguinem Christi esse, nec hoc esse potuisse, nisi facta in melius commutatione; neque ista commutatio corporaliter, sed spiritualiter facta sit: necesse est, ut jam figurate facta esse dicatur, quoniam sub velamento corporei panis corporeique vini spirituale corpus Christi spiritualisque sanguis exsistit. Nou quod duarum sint existentiae rerum inter se diversarum, corporis videlicet et spiritus: verum una eadem res secundum aliud species panis et vini consistit, secundum aliud autem corpus et sanguis Christi. Secundum namque, quod utrumque corporaliter contingit, species sunt creaturae corporea, secundum potentiam vero, quod spiritualiter factae sunt, mysteria sunt corporis et sanguinis Christi. Consideremus fontem sacri baptismatis, qui fons vitae non immerito nuncupatur,—si consideretur solummodo, quod corporeus aspicit sensus, elementum fluidum conspicitur.—Sed accessit S. Spiritus per sacerdotis consecrationem virtus.—Igitur in proprietate humor corruptibilis, in mysterio vero virtus sanabilis. Sic itaque Christi corpus et sanguis superficie tenus considerata creatura est mutabilitati corruptelaeque subjecta, si mysterii vero perpendis virtutem, vita est, participantibus se tribuens immortalitatem. Non ergo sunt idem, quod cernuntur, et quod creduntur. Secundum enim quod cernuntur, corpus pascunt corruptibile, ipsa corruptibilia: secundum vero quod creduntur, animas pascunt in aeternam victuras, ipsa immortalia. To the second question: Ait enim (Ambrosius): “in illo sacramento Christus est;” non enim ait: “ille panis et illud vinum Christus est.”—Est quidem corpus Christi, sed non corporale sed spirituale; est sanguis Christi, sed non corporalis sed spiritualis.—Corpus Christi, quod mortuum est et resurrexit et immortale factum, iam non moritur,—aeternum est nec jam possibile. Hoc autem, quod in Ecclesia celebratur, temporale est, non aeternum, corruptibile est non incorruptum,—quodsi non sunt idem, quomodo verum corpus Christi dicitur et verus sanguis?—De vero corpore Christi dicitur, quod sit verus Deus et verus homo, qui in fine saeculi ex Maria virgine genitus. Haec autem dum de corpore Christi, quod in Ecclesia per mysterium geritur, dici non possunt, secundum quandam modum corpus Christi esse cognoscitur. Et modus iste in figura est et imagine, ut veritas res ipsa sentiatur. In orationibus, quae post mysterium sanguinis corporisque Christi dicuntur, et a populo respondet amen, sic sacerdotis voce dicitur: “Pignus aeternae vitae capientes humiliter imploramus, ut quod imagine contingimus, sacramenti manifesta participatione sumamus.” Et pignus nempe et imago alterius rei sunt, i. e., non ad se, sed ad aliud adspiciunt. Pignus nempe illius rei est, pro qua donatur, imago illius, cuius similitudinem ostendit. Significant nempe ista rem, cuius sunt, non manifeste ostendunt. Quod cum ita est, appareat, quod hoc corpus et sanguis pignus et imago rei sunt futurae, ut quod nunc per similitudinem ostenditur, in futuro per manifestationem reveletur.—Item alibi: “Perficiant in nobis, Domine, quae sumus, tua sacramenta, quod continent, ut quae nunc specie gerimus, rerum veritate, capiamus.” Dicit quod specie gerantur ista, non veritate, i. e., per similitudinem, non per ipsius rei manifestationem. Differunt autem a se species et veritas. Quapropter corpus et sanguis, quod in Ecclesia geritur, differt ab illo corpore et sanguine, quod in Christi corpore per resurrectionem jam glorificatum cognoscitur. Et hoc corpus pignus est et species, illud vero ipsa veritas.—Videmus itaque multa differentia separari mysterium sanguinis et corporis Christi, quod nunc a fidelibus

niously to *John Scotus*,⁷ declared against it; and the most distinguished theologians of this period firmly adhered to the Augustinian view,⁸ so that Paschasius saw that he was called

sumitur in Ecclesia, et illud quod natum est de Maria virgine, quod passum, quod sepultum, quod resurrexit, quod caelos ascendit, quod ad dexteram Patris sedet. Doceatur a Salvatore nec non a S. Paulo Apostolo, quod iste panis et iste sanguis, qui super altare ponitur, in figuram sive memoriam dominicae mortis ponatur, ut quod gestum est in praeterito, praesenti revocet memoriae, ut illius passionis memores effecti, per eam efficiantur divini muneris consortes, per quam sumus a morte liberati. Cognoscentes, quod ubi pervenerimus ad visionem Christi, talibus non opus habebimus instrumentis, quibus admoneamur etc.—The older Catholic theologians universally considered this work as heretical, and believed that it had been in part interpolated by Protestants. Hence it stands in the Index libr. prohibit. of 1559. De Sainte Boeve first endeavored to show that it was Catholic, in which opinion he was followed particularly by Jo. Mabillon Act. SS. Ord. Bened. saec. iv. P. ii. praef. p. 44, and Ann. Bened. lib. xxxv. § 40, and J. Boileau in his edition.

⁷ All the writers of the next succeeding centuries speak either of a work of Ratramnus, or of John Scotus, on the Lord's Supper; those who mention the one say nothing of the other. All the citations suit the only extant one, which in Codd. is attributed to Ratramnus. Afterward, indeed, both works were spoken of together as distinct, and that of Scotus declared to be lost. P. de Marca (Epist. ad d'Acherium, in the Spicileg. iii. 852, ed. 2 of the latter,) first asserted correctly, that the alleged two works were only one and the same, but he attributed it to the heterodox Scotus, in order to weaken its importance. But this author has quite another doctrine respecting the Supper, de Divis. naturae, ii. 11, v. 38; comp. Ebrard's Dogma vom heil. Abendmal, S. 420. The identity of both writings, and, at the same time, that Ratramnus was the author, is shown by F. W. Laufs über die für verloren gehaltene Schrift des Johannes Scotus von der Eucharistie, in the Theol. Studien u. Kritiken. Bd. 1 (1828), Heft 4, S. 735. ss. Gfrörer's (K. G. iii. ii. 921) objections may be set aside by the consideration, that the work of Ratramnus, as having been directed against his abbot, was doubtless circulated anonymously at first, and that therefore even contemporaries as Hinçmar (de Praedest. c. 31) and Adrevaldus (de Corpore et Sanguine Christi contra ineptias Jo. Scotti, ap. d'Achery, i. 150, a fragment, but which may have been intended to oppose the eucharistic opinions of the book de Divis. naturae) might have erroneously regarded John Scotus as the author, because in such cases he was often interrogated by Charles the Bald.

⁸ For example Walafrid. Strabo de Rebus eccles. c. 16: (Christus) corporis et sanguinis sui sacramenta in panis et vini substantia eisdem discipulis tradidit, et ea in commemorationem sanctissimae suae passionis celebrare perdocuit. C. 17: Illius unitatis perfectae, quam cum capite nostro jam spe, postea re, tenebimus, pignora. Christiani Druthmar Expos. in Matth. xxvi. 26, ss. (Bibl. PP. Lugd. xv. 165): Dedit discipulis sacramentum corporis sui—ut memores illius facti semper hoc in figura facerent, quod pro eis acturus erat, et hujus caritatis non obliviscerentur. "Hoc est corporis meum," i. e., in sacramento (Sixt. Senensis Bibl. sanct. lib. vi. p. 158, would read after a Cod. Lugd.: hoc est vere in sacramento subsistens).—Vinum et laetificat et sanguinem auget. Et idcirco non inconvenienter sanguis Christi per hoc figuratur.—Sicut denique si aliquis peregre proficiscens dilectoribus suis quoddam vinculum dilectionis reliquit, eo tenore, ut omni die haec agant, ut illius non obliviscantur: ita Deus praecepit agi a nobis, transferens spiritualiter (Sixt. Sen. l. c. would have the word spiritualiter left out) corpus in panem, vinum in sanguinem, ut per haec duo memoremus, quae fecit pro nobis, etc. (That the edition by J. Wimpfeling, Strasb. 1514, really exists, and has the common text, see Cave, ii. 25, Hist. lit. de la Fr. v. 89, J. G. Schelhorn Amoenitates hist. eccl. et literariae, i. 823.) Florus Magister de Expositione Missae (for the first time complete in Martene et Durand Amplissima Collect. t. ix. p. 577, ss.), c. 4: Hujus sacrificii caro et sanguis ante adventum Christi per victimas similitudine premittebat, in passione Christi per ipsam veritatem reddebatur, post as-

upon to defend his sentiments, for many reasons.⁹ Still the mystical, and apparently pious, doctrine, which was easier of apprehension, and seemed to correspond better to the sacred words, obtained its advocates too;¹⁰ and it was easy to see, that it only needed times of darkness, such as soon followed, to become general.

In the same spirit Radbert¹¹ also taught *a miraculous de-*

censum Christi per sacramentum memoria celebratur. Idem adv. Amalarium (ibid. p. 641 ss.), c. 9: Prorsus panis ille sacrosanctae oblationis corpus est Christi, non materie vel specie visibili, sed virtute et potentia spirituali.—Simplex e frugibus panis conficitur, simplex e botris vinum liqueatur, accedit ad haec offerentis Ecclesiae fides, accedit mysticae precis consecratio, accedit divinae virtutis infusio: sive miro et ineffabili modo, quod est naturaliter ex germine terreno panis et vinum, efficitur spiritualiter corpus Christi, i. e., vitae et salutis nostrae mysterium, in quo aliud oculus corporis, aliud fidei videmus obtentu [leg. obtuitu], nec id tantum, quod ore percipimus, sed quod mente credimus, libamus.—Mentis ergo est cibus iste, non ventris, non corrumperit, sed permanet in vitam aeternam.—Corpus igitur Christi—non est in specie visibili, sed in virtute spirituali, etc.

⁹ Exposit. in Matth. lib. xii. ad Matth. xxvi. 26. (Bibl. PP. Lugd. xiv. 668): *Audiant qui volunt extenuare hoc verbum corporis, quod non sit vera caro Christi, quae nunc in sacramento celebratur in Ecclesia Christi, neque verus sanguis ejus, nescio quid volentes plaudere aut fingere, quasi quaedam virtus sit carnis et sanguinis in eo tantummodo sacramento.—Miror, quid velint nunc quidam dicere, non in re esse veritatem carnis Christi vel sanguinis: sed in sacramento virtutem quandam carnis et non carnem, virtutem fore sanguinis et non sanguinem, figuram et non veritatem, umbram et non corpus—Haec ideo prolixius dixerim et expressius, quia audivi quosdam me reprehendere, quasi ego in eo libro, quem de sacramentis Christi edideram, aliquid his dictis (namely, Hoc est corpus m. etc.) plus tribuerem aut aliud, quam ipsa veritas reprobavit, etc. Ejusd. Epist. de Corpore et Sanguine Domini ad Frudegardum (l. c. p. 754): Quaeris de re, ex qua multi dubitant. Quam si forte ad plenum intelligunt, utique credere debuerant verba Salvatoris, quia non mentitur verax Deus, cum ait: nisi manducaveritis carnem filii hominis,—non habebitis vitam.—Cum ait: hoc est corpus meum vel caro mea, seu hic est sanguis meus, non aliam puto insiuasse, quam propriam et quae nata est de Maria virgine, et peperit in cruce, neque sanguinem alium, quam qui profusus est in cruce, et tunc erat in proprio corpore.—Alius autem qualitercumque intelligitur, si alias esset sanguis, et alia esset caro in hoc mysterio, non in eo esset remissio peccatorum. Then he enters particularly on a consideration of several passages in Augustine, which Frudegard had adduced against him.*

¹⁰ Especially Haimonis Tract. de Corp. et Sang. Dom. or rather a fragment of a commentary on the first epistle to the Corinthians (in d'Achery Spicileg. i. 42), and Hinckmari Ep. ad Carol. Calv. de Cavendis vitiis et virtutibus exercendis, c. 13.

¹¹ Pasch. Radb. Opusc. de partu Virginis addressed to a venerabilis matrona Christi una cum sacris virginibus Vesonae monastice degentibus (in d'Achery Spicil. i. 44): *Dicunt enim (namely, his opposers), non aliter b. virginem Mariam parere potuisse, neque aliter debuisse, quam communi lege naturae, et sicut mos est omnium feminarum, ut vera nativitas Christi dici possit.—Non dico, quod dicant, virginitatem amisisse, quae nesciens virum virgo concepit, virgo peperit et virgo permansit: sed quia id ipsum, quod confidentur, negant, dum dicunt, eam communi lege naturae pueroram filium edidisse. Quod si ita est, ut astruunt et affirmant, quod absit, Maria virgo non est, Christus sub maledicto natus est, irae filius de carne peccati, etc.—Nam et ipsa lex naturae, sub qua nunc mulieres concipiunt et pariunt, ut ita dicam, vere non est lex naturae quodammodo, sed maledictionis et culpae.—Ideo sicut (Christus) clausis visceribus jure creditur con-*

livery of Mary, but here again he was opposed by Ratramnus.¹²

§ 15.

CONTROVERSY OF GOTTSCHALK.

Jac. Usserii *Gotteschalci et Praedestinationae controversiae ab eo motae hist.* Dublini 1631. 4. Hanov. 1662. 8. Gilb. Mauguini *Vett. auctorum, qui saec. ix. de praedestinatione et gratia scripserunt, opera et fragm.* Paris. 1650. Tomi ii. 4 (in Tom. ii. : *Gotteschalcanae Controversiae historica et chronica dissertatio*). Lud. Cellotii *Hist. Gotteschalci praedestinatiani.* Paris. 1655. fol. Natalis Alex. Diss. de causa *Gotteschalci* (in *Hist. eccl. saec. ix. et x. diss. Vta.*) Jo. Jac. Hottingeri *Diatrype hist. theol. qua praedestinatianam et Godeschalci pseudohaereses commenta esse demonstratur.* Tiguri. 1710. 4. Ejusd. *Fata doctrinae de praedestinatione et gratia Dei* (Tig. 1727. 4). p. 397, ss. W. F. Gess *Merkwürdigk. aus dem Leben Hinkmars.* (Gotting. 1806. 8). S. 15, ff.

Strict Augustinism had never been generally adopted even in the west;¹ and, therefore, *Gottschalk*,² a monk of Orbais, a faithful follower of Augustine and Fulgentius, while on a

ceptus, ita omnino et clauso utero natus,—sicut mirabiliter conceptus ita mirabiliter Deus et homo natus.—Non est credendum, quod ejas (*Mariae*) puerperium doloribus et gemitibus more feminarum subjacerit. Christus de Virgine speciali et ineffabili quodam modo procreatus, absque vexatione matris ingressus est mundum—sine dolore et sine gemitu et sine ulla corruptione carnis. Cf. (*Ch. W. F. Walchii*) *Hist. controversiae saec. ix. de partu Virginis* (a programme). Goett. 1758. 4.

¹² Ratr. lib. de eo, quod Christus ex Virgine natus est (in d'Achery, i. 52), c. 1: *Fama est, et quorundam non contemnenda cognovimus relatione, quod per Germaniae partes serpens antiquus perfidiae novae venena diffundat, et catholicam super nativitate Salvatoris fidem, nescio qua fraudis subtilitate subvertere molitur; dogmatizans Christi infantiam, per virginis januam vulvae, humanae nativitatis verum non habuisse ortum, sed monstruoso de secreto ventris incerto tramite luminis in auras exisse, quod non est nasci, sed erumpi.* Jam ergo nec vere natus Christus, nec vere genuit Maria. He concludes, c. 10: *Ergo omnifariam adversario devicto, teneamus vera fide, confiteamur ore veridico, Verbum carnem factum, per ministerium vulvae naturaliter natum et secundum rationis consequentiam, et secundum divinarum testimonia Scripturarum et secundum doctorum non contemnendam auctoritatem. Satis abundeque, ut aestimo, monstratum est, Dominum Salvatorem de Virgine sicut hominem natum, non ut integratatem violaret illa nativitas, quia Maria virgo fuit ante partum, virgo in partu, virgo mansit et post partum; sed ut qui de virgine corpus assumisit, et intra gremium virginale concrevit, per aulam quoque virgineam naturaliter nasceretur.*

¹ See Vol. I. Div. I. § 113, note 16, ff.

² Concerning an earlier controversy of Gottschalk's, then a monk at Fulda, with his abbot Raban, and respecting the decision of the synod of Mainz, 829, see the extracts of the Centur. Magdeburg. from the Epistola Rabani, since lost, and Ep. Hattonis ad Otgiarium, centur. ix. cap. 9, p. 404, and cap. 10, p. 543 and 546. This was no doubt the occasion of Raban's work contra eos qui repugnant institutis b. P. Benedicti (prim. ed. J. Mabillon in append. Annal. Bened. t. ii. no. li.) See Mabillon Annal. Bened. lib. xxx. c. 30. Kunstmann's *Hrabanus Maurus*, S. 69.

pilgrimage to Rome, by teaching the doctrine of a twofold predestination, excited the attention of *Rabanus Maurus*, who thought he perceived in it a predestination to sin.³ Gottschalk was therefore condemned by a *synod at Mainz* (848),⁴ and delivered over to his metropolitan, *Hincmar*, archbishop of Rheims, for punishment; by whom, after much ill-treatment, he was sentenced to imprisonment, at the *synod of Chiersy* (849).⁵ Gottschalk maintained that he had merely abided by the doctrine of Augustine;⁶ and, indeed, there were not a few who

³ See Rabani Epist. ad Notingum Episc. Veronensem and ad Eberardum comitem A.D. 847, both published first by J. Sirmond: *Rabani de Praedestinatione Dei contra Gotteschalcum epistolae iii.* Paris. 1647. 8. (in Sirm. Opp. ii. 1289), ap. Mauguin, i. i. 3. Kunstmann, S. 119.

⁴ Fragments of the writing handed over by Gottschalk, at this synod, to Rabanus, are preserved in *Hincmar de Praedestin.* c. 5: *Ego Gothescalcus credo et confiteor—quod gemina est praedestinatio, sive electorum ad requiem, sive reproborum ad mortem* (word for word from *Isidori Hispal. Sent. lib. ii. c. 6*): *Quia sicut Deus incommutabilis ante mundi constitutioem omnes electos suos incommutabiliter per gratuitam gratiam suam praedestinavit ad vitam aeternam, similiter omnino omnes reprobos, qui in die judicii damnabuntur propter ipsorum mala merita, idem ipse incommutabilis Deus per justum judicium suum incommutabiliter praedestinavit ad mortem merito sempiternam.* C. 21: *De quo videlicet libero arbitrio quid Ecclesiae Christi tenendum sit—cum a caeteris catholicis Patribus evidenter sit Deo gratias disputatum, tum praecepue contra Pelagianos et Caelestianos a b. Augustino plenius et uberior diversis in opusculis, et maxime in Hypomnesticon esse cognoscitur inculcatum.* Unde te [Rabane] potius ejusdem catholicissimi doctoris fructuosissimis assertionibus incomparabiliter inde quoque maluerant, quam erroneous opinionibus Massiliensis Genadii, qui—praesumpsit—fidei catholicae—infelicit Cassiani perniciosum nimis dogma sequens, reniti. C. 27: *Illos omnes impios et peccatores, quos proprio fuso sanguine filius Dei redimere venit, hos omnipotens Dei bonitas ad vitam praedestinatos irretraeabiliter salvari tantummodo velit: et rursum illos omnes impios et peccatores, pro quibus idem filius Dei nec corpus assumit, nec orationem, ne dico sanguinem fudit neque pro eis ullo modo crucifixus fuit, quippe quos pessimos futuros esse praecepsit, quosque justissime in aeterna praecepit andos tormenta praefinivit, ipsos omnino perpetui salvari penitus nolit.* Of the synod of Mainz we have only Rabani Epist. synodalis ad Hincmarum (in Sirmondi Opp. ii. 1293, ap. Mansi, xiv. 914), according to which Gottschalk taught, *quod praedestinatio Dei, sicut in bono, sic ita et in malo: et tales sint in hoc mundo quidam, qui propter praedestinationem Dei, quae eos cogat in mortem ire, non possent ab errore et peccato se corrigere; quasi Deus eos fecisset ab initio incorrigibiles, et poenae obnoxios in interitum ire.* On the other hand, *Hincmar de Praedestin.* c. 15, concedes: *Dicunt [moderni Praedestinatiani]: praedestinavit Deus reprobos ad interitum, non ad peccatum.* Cf. Remigius in *Libro de tribus epistolis*, note 13, below.

⁵ Conc. apud Carisiacum ap. Mansi, xiv. 919. According to Flodoardus (about 940) *Hist. Ecclesiae Rhemensis*, lib. iii. c. 28. *Hincmar afterward called on Gottschalk to confess, Deum et bona praescire et mala; sed mala tantum praescire, bona vero et praescire et praedestinare.* Unde *praescientia esse potest sine praedestinatione: praedestinatio autem esse non potest sine praescientia: et quia bonos praecepsit et praedestinavit ad regnum, malos autem praecepsit tantum, non praedestinavit, nec ut perirent sua praescientia compulit.* Gottschalk refused to subscribe this.

⁶ His two confessions written in prison (prim. ed. J. Usserius, l. c. in Append. p. 211, ss. ap. Mauguin, i. i. 7). In the longer one he says of his opponents: *Te precor, Domine Deus, gratis Ecclesiam tuam custodias, ne sua diutius eam falsitate pervertant haerese-*

thought that Hincmar had encroached on it. Hence *Prudentius*, bishop of Troyes,⁷ *Ratramnus*,⁸ and *Servatus Lupus*,⁹ came forward in defense of the Augustinian orthodoxy; Rabanus could no longer come to the proposed refutation of these writings;¹⁰ while *John Scotus*, who attempted to answer them,¹¹ could only

osque suae pestifera de reliquo pravitate subvertant, licet se suosque secum lugubriter evertant. Ego vero gratis eductus ab ipsa veritate—hic evidenter expressam de praedestinatione tua fidem catholicam fortiter teneo, veraciter patenterque defendo: et quemcunque contraria doginatizare cognosco, tamquam pestem fugio, et tamquam haereticum abjicio.—Porro conflictum cuiuslibet eorum, si semel his lectis et intellectis cedere noluerit, et instar Pharaonis induratus haeretico videlicet more, tam manifestae veritati acquiescere contemserit, secundum consilium vel potius preeceptum Apostoli, jam mihi vitandum censeo—Attamen propter minus peritos, et ob id ab eis illectos, et nisi corrigantur, perditos, optarem publicum, si tibi Domine placaret, fieri conventum: quatenus adstructa palam veritate, et destructa funditus falsitate, gratias ageremus communiter tibi. Namely, quatuor doliis uno post unum positis atque ferventi sigillatim repletis aqua, oleo, pingui, et pice, et ad ultimum accenso copiosissimo igne, liceret milii—ad adprobandam hanc fidem meam, immo fidem catholicam, in singula introire, et ita per singula transire etc.

⁷ Prudentii Trecassini Epistola ad Hincmarum Rhem. et Pardulum Laudunensem (about 849) prim. ed. Lud. Cellot in Hist. Gottesch. p. 425, ss. Comp. Raban's judgment thereupon Ep. ad. Hincmarum in Sirmondi Opp. ii. 1295. Mauguin, i. i. 5.

⁸ Ratramni de Praedestinatione libb. ii. (about 850) prim. ed. G. Mauguin, i. i. 27

⁹ Serv. Lupi Lib. de tribus quaestionibus (namely de Libero arbitrio, de Praedestinatione bonorum et malorum, and de Sanguinis Christi superflua taxatione), besides a collectaneum of tribus quaest. after 850. The first faulty edition by Donatus Candidus. 1648. 16. A corrected text by J. Sirmond. Paris. 1650. 8. (Opp. ii. 1227) and G. Mauguin i. ii. 9; cf. Hist. lit. de la France. v. 262, where Cave's statements are corrected.

¹⁰ See his two letters to Hincmar, published by Kunstmänn, in the Tübingen theolog. Quartalschr. 1836. S. 445, and also appended to his Rabanus Maurus, p. 215.

¹¹ Jo. Scotus de Praedestinatione Dei contra Gotteschalcum (831) prim. ed. G. Mauguin, i. i. 103. Comp. Fronmüller's above (§ 10, note 21) cited treatise: ex. gr. the following assertions, cap. 6, § 1: Firmissime igitur tenendum, nullum peccatum—nullamque ejus poenam aliunde nasci, nisi propria hominis voluntate, libero male utentis arbitrio. Cap. 7, § 1: Non ergo liberum arbitrium malum est, cum eo quisque male utatur, sed est numerandum inter bona, quae homini divina largitatem donata sunt: praesertim cum potius ad bene utendum eo datum sit: in hoc enim maxime arguitur humana voluntas, quod eo dono, quod ei datum est ad recte utendum, maluit perverse uti. Cap. 8, § 7: Si omne quod movet plus est quam quod movetur, necessario majora a minoribus moveri non sinunt, simili ratione paria non possunt paria movere.—Restat plane, humanam voluntatem aut a se ipsa moveri, aut ab ea, quae eam condidit. § 9: Hoc ergo nisi fallor prolixae ratiocinationis ambitu confectum est, causas omnium recte factorum—in libero humanae voluntatis arbitrio, praeparante ipsum ipsique cooperante gratuito divinae gratiae multiplicique dono constitutas esse: malefactorum vero—in perverse motu liberi arbitrii suadente diabolo principalem radicem esse fixam. Quanta igitur dementia est eorum, qui talium causas inevitabilis, coactivasque necessitates in praedestinatione divina falsissime fingunt, impudentissime adstrunt. Cap. 9, § 5. The expressions praescire and praedestinare can not be used of God proprie: in eo enim sicut nulla locorum spatia sunt, ita nulla temporum intervalla. Cap. 10, § 3: Omne igitur malum aut peccatum est aut poena peccati: quae duo si nulla ratio vera sinit Deum praescire, quanto magis praedestinare quis audeat dicere, nisi e contrario? (*κατ' ἀντίφασιν*, namely, according to § 1, in the sense, quod Deus in creatura, quam ipse condidit, fieri sinit motu proprio liberoque rationalis naturae perverse utentis naturalibus bonis). Quid enim, numquid possumus recte sentire de Deo —eorum quae nec ipse est, nec ab eo sunt, quia nihil sunt praescientiam seu praedestina

do injury to Hinemar by his own heterodoxy.¹² At length *Remigius*, archbishop of Lyons from 852, appeared in the name of his church, expressly as defender of the unfortunate Gottschalk.¹³ Hinemar procured the confirmation of his doctrinal

tionem habere? Si enim nihil aliud est scientia, nisi rerum, quae sunt, intelligentia, qua ratione in his, quae non sunt scientia vel praescientia dicenda est?—Deinde si nihil aliud est malum nisi boni corruptio—omnis autem corruptio nihil appetit, nisi ut bonum non sit: quis dubitare potest, esse malum, quod appetit bonum delere ne sit? § 4: Quis non videat—totum quod dicitur peccatum, ejusque consequentias in morte atque miseria constitutas, non aliud esse, quam integræ vitae beataeque corruptiones: ita ut singula singulis opponantur, integritati quidem peccatum, vitae mors beatitudini miseria. Illa sunt, ista penitus non sunt.—§ 5: Omnino igitur non sunt, ac per hoc nec praesciri, nec praedestinari ab eo, qui summus est, possunt. Cap. 11 and 12, that praescientia and praedestinatio are one in God, that there is only a praedestinatio ad vitam, not ad mortem.—Cap. 16, § 1: In magno aeterni ignis ardore nihil aliud sit poenalis miseria, quam beatae felicitatis absentia, in qua tamen nullus erit qui non habeat insitam sibi naturaliter absensis beatitudinis notionem, ejusque desiderium, ut eo maxime torqueatur, quo ardenter appetat, quod justum Dei judicium comprehendere non sinat.—Cap. 17, § 8: Sive itaque ignis ille corporeus (ut ait Augustinus), sive incorporeus (ut Gregoria placet);—idem ignis bonus profecto, quoniam a bono factus. Non ergo ille ignis est poena, neque ad eam praeparatus, vel praedestinatus, sed qui fuerat praedestinatus, ut esset in universitate omnium bonorum, sedes factus est impiorum. In quo proculdubio non minus habitabant beati, quam miseri: sed sicut una eademque lux sanis oculis convenit, impedit dolentibus, etc. Quid enim bonorum illi non noceret, quando ei auctor omnium placere non poterat?—§ 9: Proinde si nulla beatitudo est, nisi vita aeterna: vita autem aeterna est veritatis cognitio: nulla igitur beatitudo est nisi veritatis cognitio. Ita si nulla miseria est, nisi mors aeterna: aeterna autem mors est veritatis ignorantia: nulla igitur miseria est nisi veritatis ignorantia.—Cap. 18, § 1: Errorem itaque saevissimum eorum, qui venerabilium Patrum, maximeque S. Augustini sententias confuse, ac per hoc mortifere ad suum pravissimum sensum redigunt, ex utilium disciplinarum—ignorantia crediderim sumpsisse primordia insuper etiam ex Graecarum literarum inscita. In quibus praedestinationis interpretatio nullam ambiguitatis caliginem giguit; for ππορπώ means both praividere and praedes-tinare, etc.

¹² Scotus was answered (852) by Prudentius: *Tractatus de praedestinatione contra Jo. Scot.* (prim. ed. Mauguin, i. 1, 191, afterward in the Bibl. PP. Lugdun. xv. 467), and *Florus Magister*: *Lib. de praedestinatione contra Jo. Scotti erroneas definitiones* (also called *Ecclesiae Lugd. lib. etc.*, because written in the name of it; best edited ap. Mauguin, i. 1, 575, and in the Bibl. PP. Lugd. xv. 611); comp. Staudenmaier's Joh. Scotus Erig. S. 183.

¹³ Hinemar and Pardulus, bishop of Laon, had written on this occasion to Amolo, archbishop of Lyons, two letters (preserved in part in the following work of Remigius), and accompanied them with Rabani Epist. ad Notingum (cf. note 3). On this Remigius, who had already begun to officiate, wrote in the name of his church: *Liber de tribus epistolis* (ap. Mauguin, i. ii. 61, Bibl. PP. Lugd. xv. 666). Here it is said directly, cap. 24: *Videtur nobis sine dubio, quod illa, quae [Gotteschalcus] de divina praedestinatione dixit, juxta regulam catholicæ fidei vera sint, et a veridicis Patribus manifestissime confirmata, nec ab ullo penitus nostrum, qui catholicus haberet vult, responda sive damnanda.* Et ideo in hac re dolemus non hunc miserabilem, sed ecclesiasticam veritatem esse damnatam. Rabanas is reproached with the false interpretation he had put on Gottschalk's system (comp. note 4). Cap. 41: *Tertia epistola—assumit, quantum nobis videtur, non necessarium, nec ulla tenus ad rem, de qua queritur, pertinentem disputationem. Quaeritur namque—non illud, utrum impios Deus et iniquos praedestinaverit ad ipsam impietatem et iniquitatem, i. e., ut impii et iniqui essent, et aliud esse non posse: quod nullus omnino moderno tempore dicere vel dixisse invenitur, quod est utique immanis et detestabilis*

creed at the synod of *Chiersy* (853), in presence of the emperor Charles the Bald;¹⁴ but Remigius at once protested against it,¹⁵ and the *synod of Valence* (855) sanctioned, in opposition to it, a twofold predestination as an ecclesiastical dogma.¹⁶ But the

blasphemia: sed illud potius quaeritur, utrum eos, quos veraciter omnino praescivit, proprio vitio impios et iniquos futuros, et in suis impietibus atque iniquitatibus usque ad mortem perseveraturos, justo judicio praedestinaverit aeterno suppicio puniendos.

¹⁴ The Capitula iv. Carisiacensia from Hincmar de Praedest. c. 2, ap. Mansi, xiv. 920 (by Sirmond. in Concill. Gall. t. iii. and the succeeding editors of councils falsely assigned to the Conc. Carisiac. l. 819; comp. on the other side, Ann. Bertiniani ad ann. 853, ap. Mansi, xiv. 995), cap. i.: Deus omnipotens hominem sine peccato rectum cum libero arbitrio condidit, et in paradiſo posuit, quem in sanctitate justitiae permanere voluit. Homo libero arbitrio male utens peccavit et cecidit, et factus est massa perditionis totius humani generis. Deus autem bonus et justus elegit ex eadem massa perditionis, secundum praeſcientiam suam, quos per gratiam praedestinavit ad vitam, et vitam illis praedestinavit aeternam: caeteros autem, quos justitiae judicio in massa perditionis reliquit, perituros praescivit, sed non ut perirent praedestinavit: poenam autem illis, quia justus est, praedestinavit aeternam. Ac per hoc unum Dei praedestinationem tantummodo dicimus, quae aut ad donum pertinet gratiae, aut ad retributionem justitiae. Cap. ii.: Libertatem arbitrii in primo homine perdidimus, quam per Christum Dominum nostrum recepimus: et habemus liberum arbitrium ad bonum, praevenimus et adjutum gratia: et habemus liberum arbitrium ad malum, desertum gratia. Liberum autem habemus arbitrium, quia gratia liberatum, et gratia de corrupto sanatum. Cap. iii.: Deus omnipotens omnes homines sine exceptione vult salvos fieri, licet non omnes salventur. Quod autem quidam salvantur, salvantis est donum: quod autem quidam pereunt, pereuntium est meritum. Cap. iv.: Christus Jesus Dominus noster, sicut nullus homo est, fuit vel erit, cuius natura in illo assumta non fuerit, ita nullus est, fuit, vel erit homo, pro quo passus non fuerit; licet non omnes passionis ejus mysterio redimantur. Quod vero omnes passionis ejus mysterio non redimuntur, non respicit ad magnitudinem et pretii copiositatem, sed ad infidelium, et ad non credentium ea fide, quae per dilectionem operatur, respicit partem: quia poculum humanae salutis, quod confectum est infirmitate nostra, et virtute divina, habet quidem esse, ut omnibus prospicit: sed si non bibitur, non medetur.

¹⁵ In the libellus de tenenda immobiliter S. Scripturae veritate, et SS. orthodoxorum Patrum auctoritate fideliter sectanda, in which Remigius, in the name of the Church of Lyons, condemns those four chapters (ap. Mauguin, i. ii. 178, Bibl. PP. Lugd. xv. 701).

¹⁶ Conc. Valentiniū (ap. Mansi, xv. 1, ss.) can. iii.: Fidenter fatemur praedestinationem electorum ad vitam, et praedestinationem impiorum ad mortem: in electione tamen salvandorum misericordiam Dei praecedere meritum bonum: in damnatione autem periturorum meritum malum praecedere justum Dei judicium. Praedestinatione autem Deum ea tantum statuisse, quae ipse vel gratuita misericordia, vel justo judicio facturus erat, secundum Scripturam dicentem: "qui fecit quae futura sunt" (Jes. xlvi. 11, according to the LXX.): in malis vero (Deum) ipsorum malitiam praescisse, quia ex ipsis est; non praedestinas, quia ex illo non est. Poenam sane malum meritum eorum sequentem, uti Deum, qui omnia prospicit, praescivisse, et praedestinas, quia justus est, etc. Can. iv.: Item de redēptione sanguinis Christi propter nimium errorem, qui de hac causa exortus est, ita ut quidam, sicut eorum scripta indicant, etiam pro illis impiis, qui a mundi exordio usque ad passionem Domini in sua impietate mortui aeterna damnatione puniti sunt, effusum eum definiant:—illud nobis simpliciter et fideliter tenendum ac docendum placet,—quod pro illis hoc datum pretium teneamus, de quibus ipse Dominus noster dicit: "Sicut Moyses exaltavit serpente in deserto, ita exaltari oportet filium hominis, ut omnis qui credit in ipso non pereat," etc. (Joh. iii. 14-16) et Apostolus, "Christus," inquit, "semel oblatus est ad multorum exhaurienda peccata" (Hebr. ix. 28). Porro capitula iv. quae a concilio fratrum nostrorum minus prospecte suscepta sunt,

two archbishops soon after came to an understanding (859)¹⁷ and Gottschalk's situation was no better than before, especially as he had provoked Hincmar anew by blaming him for altering one of the church hymns.¹⁸ Gottschalk's defenders were silent. after Hincmar had published several works in justification of his conduct and creed.¹⁹ An appeal of the unfortunate man to Pope Nicolaus I. was without success.²⁰ He at last died during his imprisonment, and under the ban of the church, A.D. 868.²¹

propter inutilitatem vel etiam noxietatem et errorem contrarium veritati : sed et alia xix. syllogismis ineptissime conclusa (namely, the writing of John Scotus), et, licet jactetur, nulla saeculari literatura nitentia, in quibus commentum diaboli potius, quam argumentum aliquod fidei deprehenditur, a pio auditu fidelium penitus explodimus, et ut talia et similia caveantur per omnia auctoritate Spiritus S. interdicimus. Can. v.: Item firmissime tenendum credimus, quod omnis multitudo fidelium ex aqua et Spiritu S. regenerata—et in morte Christi baptizata, in ejus sanguine sit a peccatis suis abluta.—Ex ipsa tamen multitudine fidelium et redemtorum, alios salvari aeterna salute, quia per gratiam Dei in redemptione sua fideliter permanent;—alios, quia noluerunt permanere in salute fidei,—ad plenitudinem salutis et ad perceptionem aeternae beatitudinis nullo modo pervenire.

¹⁷ At the Conc. Tullense apud Saponarias (Mansi, xv. 527), at which, according to the titulus canonum iii., still extant, the subjects discussed were : de stabile unione principum Caroli et Lotharii atque Caroli Regum, et x.; de capitulis quibusdam in synodo relectis, de quibus inter quosdam Episcopos erat controversia. In the can. Valentinus iv., the passage leveled at the capitula Carisiac. had been taken out by Remigius and his bishops at the Conc. Lingonense held a few days before, and in this form it was presented to Hincmar and his bishops at Savonnières. Cf. Mansi, xv. 525 and 533. Hincm. poster. Diss. de praedest. in praefat.

¹⁸ Te. trina Deitas unaque, poscimus, Hincmar wished, as an Arian, to have altered into Te summa Deitas. Even Rabanus declared himself, in the letters referred to in note 10, against that expression. Gottschalk's little treatise in defense of the expression, is contained in Hincmar's refutation, *de Una et non Trina Deitate*, about 857 (in Hincm. Opp. ed. Sirmond. i. 413), in which also Ratramnus's defense of the trina Deitas (since lost) is combated.

¹⁹ Since 856. First *de Praedestinatione Dei et Libero Arbitrio* libb. iii. against Gottschalk and all his defenders (Flodoard. Hist. Eccl. Rhem. c. 15¹) is no longer extant. Then posterior *de Praedest. Dei et libero arbitrio diss. contra Gotesc. et caeteros Praedestinianos* (begun 859, finished before 863), in Opp. ed. Sirmond. i. 1.

²⁰ Comp. Hincmari Ep. ad Nicolaum I. A.D. 864, preserved by Flodoard. iii. 12–14 (in ed. Sirm. ii. 244), and Hincm. Epist. ad Egilonem Archiep. Senonsem, A.D. 866 (in ed. Sirm. ii. 290, ap. Mauguin, ii. i. 237).

²¹ Obstinacy and vanity, strengthened by external oppression, may yet have produced in Gottschalk such dreams as Hincmar de Non trina Deit. p. 550 describes : Scripsit quoque ad Deum loquens, et dicens, ei, quod ipse illi praeceperit, ut pro me non oraret, et quia primum filius in eum intraverit, postea Pater, deinde Spiritus S., qui in illum intrans ei circa os barbam adussit.—Ante hos annos revelatum sibi quibusdam familiaribus suis scripsit, quod ego statim post tres semisannos suae revelationis, sicut Antichristus usurpans sibi potestatis potentiam, mori, et ipse Remorum Episcopus fieri, et post septennium veneno interfici, et sic gloriae martyrum adequari deberet, etc.—Gottschalk is defended by the reformed (Usser, Hottinger, etc.), the Jansenists (Corn. Jansenii Augustinus, t. i. lib. 8, c. 23; Mauguin, etc.), and also by the Roman Catholic Morisius, who was inclined to Augustinian sentiments; on the other hand, he is most violently opposed as a predestinarian by the Jesuits (Sirmond, Petavius, Cellot, and others). Comp. Vol. I. Div. II. § 113, note 11.

The subordinate critical dispute respecting the genuineness of the Hypognosticon lib. vi.,²² ascribed to Augustine, developed in this controversy, is worthy of notice, so far as it affords a favorable proof of the learned education of the period.

§ 16.

SPREAD OF CHRISTIANITY BY THE CARLOVINGIANS.

Charlemagne endeavored to spread Christianity in like degree with the extension of his dominions. But by this means he made it an object of suspicion and hatred to the neighboring free states. Thus his wars against the *Saxons*¹ from 772, had for their object both their subjection and conversion. A peace of eight years' duration ensued, on *Wittekind's* and *Alboin's* baptism (785). From that time, the Frieslanders continued loyal to the Frank sovereignty, and faithful in their adherence to Christianity;² but a new rebellion of the Saxons (793) could not be quieted till 803. The Saxons were invited to embrace Christianity, not in the way of conviction, but of the rudest compulsion;³ and it was therefore natural that heathenism found

²² After Gottschalk had candidly appealed to them against Rabanus (Hincmar de Prae*cl.* c. 21, see above, note 4). Joh. Scotus de Praedest. c. 14, § 4, adduced passages from them to prove quod Deus neminem praedestinavit ad poenam. On the other hand it was asserted by Florus de Praedest. contra Jo. Scot. c. 18 (ap. Mauguin, i. i. 726), and still more with historical and critical reasons by Prudentius de Praedest. contra Jo. Scot. c. 14 (ap. Mauguin, i. i. 398), that they were not written by Augustine. It is true that Hincmar in Ep. ad Amolonem (ap. Remigius de tribus epist. c. 34) appealed again to these books, and Pardulus Ep. ad Amolonem (l. c. cap. 39) went so far as to endeavor to defend their authenticity; but Remigius (de tribus epist. c. 35, ap. Mauguin, i. ii. 124, and lib. de tenenda S. Scripturae veritate, c. 9, l. c. p. 204), proved their spuriousness by so decisive arguments, that Hincmar's defense (posterior de Praedest. Dei diss. ed. Sirmond. p. 10, ss.) on the other side, remains quite insignificant. Cf. J. W. Feuerlini Disqu. hist. crit. de libris hypognosticon, an ab Hincmaro, in Augustana confessione et alibi recte tribuantur divo Augustino. Altorf. 1735. 4.

¹ Nic. Schaten Historia Westphaliae. Neuhausen. 1690. fol. p. 417, ss. H. A. Meinders Tract de statu relig. et reipubl. sub Car. M. et Lud. P. in veteri Saxonie. Lemgo. 1711. 4. Just. Möser's Osnabrück. Geschichte, Th. 1. A. F. H. Schaumann's Gesch. d. neider-sächsischen Volks bis 1180. Götting. 1839, S. 338.

² St. Ludgerus had already preached here, a man descended from a leading Friese family. Now he completed the conversion of the Frieslanders. See vita S. Liudgeri, written by his second successor in the see of Munster, Altfrid († 849), in the Act. SS. ad 26 Mart. and in Pertz Mon. ii. 403.

³ Cf. Capitulatio de partibus Saxoniae ap. Baluz. i. 249. Pertz, iii. 48 (according to Baluz. ii. 1039, A.D. 788. According to Pertz, A.D. 785), with a commentary ap. Meinders,

secret adherents among them for a long time. The principal mission-stations which had been established here and there in Saxony, and placed at first under the superintendence of Frank bishops,⁴ obtained by degrees bishops of their own, whose dio-

l. c. p. 23, ss. ex. gr. cap. iv.: *Si quis sanctum quadragesimale jejunium pro despectu christianitatis contemserit, et carnem comedenter, morte moriatur.* Cap. vii.: *Si quis corpus defuncti hominis secundum ritum paganorum flamma consumi fecerit, et ossa ejus ad cinerem redegerit, capite punietur.* Cap. viii.: *Si quis deinceps in gente Saxonum inter eos latens non baptizatus se abscondere voluerit, et ad baptismum venire contemserit, paganusque permanere voluerit, morte moriatur.* Then follow laws against heathen images, c. xvi. and xvii. concerning tithes, see § 9, note 1. The remarks of Alcuin on this subject in his letters are very appropriate. Ex. gr. Epist. xxviii. (ed. Froben.) ad dominum Regem (A.D. 796): *Sed nunc praevideat sapientissima et Deo placabilis Devotio vestra pios populo novello praedicatores, moribus honestos, scientia sacrae fidei eductos et evangelicis praeceptis imbutos: SS. quoque Apostolorum in praedicatione verbi Dei exemplis intentos, qui lac, i. e., suavia praecepta, suis auditoribus in initio fidei ministrare solebant, dicente Apostolo Paulo: "Et ego, fratres, non potui vobis loqui quasi spiritibus," etc. (1 Cor. iii. 1, 2.) Hoc enim totius mundi praedicator, Christo in se loquente, significavit, ut nova populorum ad fidem conversio mollioribus praeceptis, quasi infantilis acta lacte, esset nutrienda: ne per austeriora praecepta fragilis mens evomat, quod bibit.* — His ita consideratis, vestra sanctissima Pietas sapienti consilio praevideat, si melius sit, rudibus populis in principio fidei jugum imponere deciminarum, ut plena fiat per singulas domus exactio illarum: an Apostoli quoque ab ipso Deo Christo edocti et ad praedicandum mundo missi exactiones decimatarum exegissent, vel alicubi demandassent dari, considerandum est. Scimus quia decimatio substantiae nostrae valde bona est. Sed melius est illam amittere, quam fidem perdere. Nos vero in fide catholica nati, nutriti et edocti vix consentimus, substantiam nostram pleniter decimare. Quanto magis tenera fides, et infantilis animus, et avara mens illarum largitati non consentit? Roborata vero fide et confirmata consuetudine christianitatis, tunc quasi viris perfectis fortiora danda sunt praecepta, quae solidata mens religione christiana non abhorreat. Illud quoque maxima considerandum est diligentia, ut ordinate fiat praedicationis officium et baptismi sacramentum: ne nihil propositi sacri ablutio baptismi in corpore, si in anima ratione utenti catholicae fidei agnitus non praecesserit in corde. Ipse Dominus in Evangelio discipulis suis praeiciens ait: *"Ite, docete omnes gentes, baptizantes eos,"* etc. (Matth. xxviii. 19, 20.) Hujus vero praecepti ordinem b. Hieronymus in commentario suo—ita exposuit: *Primum doceant omnes gentes, deinde doctas intinguant aqua.* Non enim potest fieri, ut corpus baptismi capiat sacramentum, nisi ante anima fidei suscepit veritatem. Epist. xxxi. ad Arnoneūm (bishop of Salzburg, to whom the conversion of the Avari was intrusted): *Idecirco misera Saxonum gens toties baptismi perdidit sacramentum, quia nunquam fidei fundamentum habuit in corde.* Sed et hoc sciendum est, quod fides, secundum quod S. Augustinus ait, ex voluntate fit, non ex necessitate. Quomodo potest homo cogi, ut credat, quod non credit? Impelli potest homo ad baptismum, sed non ad fidem, etc. Epist. xxxvii. ad Megenfridum: *Si tanta instantia suave Christi jugum et onus ejus leve durissimo Saxonum populo praedicaretur, quanta decimatarum redditio, vel legalis pro parvissimus quibuslibet culpis edicti necessitas exigebatur, forte baptismatis sacramenta non abhorrent.* Sint tandem aliquando doctores fidei apostolicis erudit, sint praedictores, non praedatores, etc. Epist. lxxii. ad Arnoneūm: *Tu vero—perge in opus Dei,—et esto praedicator pietatis, non decimatarum exactor.* — Decimae, ut dicitur, Saxonum subverterunt fidem. *Quid injungendum est jugum cervicibus idiotarum, quod neque nos, neque fratres nostri sufferre potuerunt?*

⁴ Translatio S. Liborii, written about 890, c. 2 (Pertz Mon. vi. 150): (Carolus) Ecclesias per omnem regionem illam—sub quanta potuit celeritate construi fecit, atque parochias diligenter ratione suis quasque terminis servandas designans, quia civitates, in quibus

ceses, however, were not very securely fixed till after the peace of *Salz* (804). These Saxon bishoprics, the years of whose foundations have been very differently stated, on account of their gradual origination,⁵ were, for Westphalia, *Osnabrück* (year of foundation variously marked 783, 788, 793, 803);⁶ *Nimigardeford*, afterward *Münster* (791, 801),⁷ for Engera,

more antiquo sedes episcopales constituerentur, illi penitus provinciae deerant, loca tamen ad hoc, quae et naturali quadam excellentia et populi frequentia prae caeteris opportuna videbantur, elegit. Tum vero vix reperiebantur, qui barbarae et semipaganæ nationi praesules ordinarentur; cuius interdum ad perfidiam relabentis cohabitatio nulli clericorum tuta videbantur. Quocirca unamquamque praedictarum pontificalium sedium cum sua dioecesi singulis aliarum regni sui Ecclesiarum praesulibus commendavit, qui et ipsi, quotiens sibi vacaret, ad instruendam confirmandamque in sacra religione plebem eo pergerent, et ex clero suo personas probabiles cujuscunque ordinis, cum diverso rerum ecclesiasticarum apparatu, ibidem, mansuros jugiter destinaarent; et hoc tamdiu, donec annuente Domino salutaris illic fidei doctrina convalesceret, et ita divini usus ministerii provcheretur, ut proprii quoque in singulis parochiis digna et fiducialiter possent manere pontifices. Vita S. Sturmi (written by his pupil Egil, about 800), c. 22 (ap. Pertz, ii. 370): Congregato grandi exercitu, invocato Christi nomine, (Carolus) Saxoniam profectus est, adsumtis universis sacerdotibus, Abbatibus, Presbyteris et omnibus orthodoxis atque fidei cultoribus, ut gentem, quae ab initio mundi daemonum vinculis fuerat obligata, doctrinis sacris mite et suave Christi jugum credendo subire fecissent. Quo cum rex pervenisset, partim bellis, partim suasionibus, partem etiam muneribus, maxima ex parte gentem illam ad fidem Christi convertit; et post non longum tempus totam provinciam illam in parochias episcopales divisit, et servis Domini ad docendum et baptizandum potestatem dedit. Tunc pars maxima beato Sturmi populi et terrae illius ad procurandum committitur.—Quo cum multum temporis praedicando et baptizando cum suis Presbyteris peregrisset, et per regiones quasque singulas Ecclesias construxisset: then the Saxons rebelled, and Sturm was obliged to flee. After they were vanquished, Ehresburg was assigned to him and his friends as a place of abode by Charlemagne, but there Sturm died as early as 779.

⁵ Original documents alleged to have been executed by Charlemagne—1. A deed of foundation of the Bremen Church, A.D. 788 (in Adami Brem. Hist. eccl. i. c. 10). Chronik der freien Hansestadt Bremen von Carsten Miesegaes, i. 169. J. M. Lappenburg's Hamburgisches Urkundenbuch, Bd. 1 (Hamburg. 1842. 4), S. 4. 2. A similar foundation-deed of the Church of Verden, A.D. 786 (first published by J. J. Maderus after his Adamus Brem. 1670, then ex Verdensis Ecclesiae tabulario by N. Schaten Hist. Westph. 505, ap. Lappenberg, i. 1). 3. Two titles bestowed on the Osnabrück Church, A.D. 804 (from the alleged original in Ferd. de Fürstenberg Monumenta Paterbornensia, ed. ii. Amstelod. 1672. 4, p. 325, ss.; also in Schaten, p. 607 and p. 612, and in Möser's Osnabrück Gesch. Th. 1. Urkunden, S. 3, ff.). 4. Praeceptum pro Trutmanno Coinite, by which the right of advocacy for all Saxon bishoprics is made over to it A.D. 789 (Baluzii Cap. i. 249). While the older Protestants after Gryphiander's (de Weichbildis Saxonice, c. 33) example even deny that Charlemagne founded the Saxon bishoprics generally; Catholics, on the other hand, such as Fürstenburg, and with especial violence Nic. Schaten, undertook to defend the untenable authenticity of those patents. The more impartial of both parties, Papebroch, Car. le Cointe, Mabillon, J. G. Eccard, as also Meinders and Ludewig, perceived on the contrary, that they could not be genuine, at least in their present form. See Meinder's Tract. de statu religionis et reipubl. sub. Car. M. et Lud. Pio, in veteri Saxonica, p. 217, ss.

⁶ Möser, l. c. Th. 1, 275.

⁷ In the Southerngau (the present province of Münster) a monk Bernard first preached. After his death Charlemagne sent thither the apostle of the Frieslanders Ludger, about 791, who first became bishop, 802. (Even in 801 he is still called Presbyter or Abbas.

Minden (stated to be 780), and *Paderborn* (usually 795);⁸ for Eastphalia *Verden* (786),⁹ *Bremen* (788),¹⁰ and *Hildesheim* (said to have been established 796 in Else, and removed under Lewis the *Debonaire*);¹¹ for North Thuringia *Halberstadt* (said to have been established at *Seligenstadt*, 781, and soon after removed).¹² *Lewis the Debonaire* founded the monasteries of

Niesert's *Münsterische Urkundensammlung*, ii. 1) See vita S. Liudgeri (comp. note 2) ap. Pertz, ii. 411, comp. (F. M. v. Raet's) *Münsterische Geschichte*, Th. 1 (Göttingen. 1788) S. 127, 142. T. König's *geschichtl. Nachrichten über das Gymnasium zu Münster* (Münster. 1821), S. 20, ff. H. A. Erhard's *Geschichte Münsters*. (Münster, 1837) S. 28.

⁸ It was probably this diocese in particular which was assigned to the monastery of Fulda to be converted (see Vita *Sturmi*, above, note 4): In Paderborn, as early as 777, Charles built a church (*Ann. Petav. and Sangallenses*, ap. Pertz, i. 16, 63). Subsequently (after Pope Leo III. had been with Charles in Paderborn, consequently about 800) this church was assigned to the superintendence of the bishop of Würzburg, and received, about 810, its first *bisłop* *Hathumar*. See *Translatio S. Liborii*, c. 5: *Hic ex paecepto Principis (Caroli) primus est Patherbrunnensis Ecclesiae ordinatus Episcopus. Post cujus ordinationem paucis annis transactis idem gloriosissimus Princeps ab hac luce migravit.* Among other things we find G. T. Bessen's *Gesch. des Bisthums Paderborn* (2 Bde. Paderb. 1820), i. 78.

⁹ The first seat of it was *Kuhfeld*, not far from Salzwedel. See *Chronography of the Bishops at Verden*, in A. Chr. Wedekind's *Noten zu einigen Geschichtschreibern des deutschen Mittelalters Heft. i.* (Hamb. 1821) S. 92. On the extent of the bishopric see Asmussen in the *Archiv. f. Staats- und Kirchengesch. der Herzogthümer Schleswig, Holstein, Lauenburg*. Bd. 1, Heft. 1 (Kiel. 1833), S. 214, P. v. Kobbe's *Gesch. und Landesbeschreibung der Herzogthümer Bremen und Verden* (Göttingen. 1824), Th. 2, S. 260. *Pfankuché ältere Gesch. d. vormal. Bisth. Verden*. Verden. 1830.

¹⁰ *Willehad*, an English Benedictine, first preached among the Frieslanders, afterward from 780, among the Saxons in the pagus *Wigmodia* (the present duchy of Bremen). So early as the succeeding year, Christianity had been generally diffused there externally; but at the rebellion of *Wittekind*, 782, there succeeded an apostasy as general, and the priests who could not flee were murdered. After *Wittekind's* baptism, *Willehad*, in 785, was again sent to *Wigmodia*, restored the churches and Christianity, and was consecrated first bishop of Bremen, 788. See vita S. *Willehadi*, written by his later successor *Anscar*, best given in Pertz, *Monum. ii. 378. Leben des St. Willehad's u. St. Ansgar's übers. mit. Anm. v. Carsten Miesegaes*. Bremen. 1826. 8; v. Kobbe, ii. 58. *Delius* in *Ersch und Gruber's Encyclop.* xii. 436.

¹¹ J. B. Lauenstein's *diplomat. Historie des Bisthums Hildesheim* (2 Th. Hildesh. 1740. 4), Th. 1, S. 199.

¹² *Ann. Quedlinburg. ad ann. 781* (Pertz, v. 38): *Eodem anno Carolus de Roma reversus in Franciam, terram Saxonum inter Episcopos divisit, et terminos Episcopis constituit: et S. Stephano protomartyri in loco, qui dicitur Seliganstedi monasterium construxit, quod postea in locum translatum est, qui dicitur Halverstede, ubi nunc est sedes episcopalilis.* Idque ad corrigendum et propagandum *Catalaunensi Episcopo Hildegrino*, qui frater erat b. *Liudgeri* confessoris, commendavit: This *Hildegrin* was, up to 782, assistant to his brother *Ludgerus*, among the Frieslanders (vita *Liudgeri*, i. 18, ap. Pertz, ii. 410), consequently he can not have been at that time bishop of Chalons. The immunities and boundaries of the bishopric of *Halberstadt* were confirmed in a diploma of 814 (ap. *Leukfeld. Antt. Groning.* p. 10). *Hildegrin* continued bishop of Chalons till his death, 827, and *Halberstadt* was his benefice in commendam. Hence he is designated by *Theitmar*, iv. 45 (Pertz, v. 787), in the account of his death, as *Cathelaunensis Episcopus sanctaeque Halverstadensis Ecclesiae rector primus*.—*Seligenstadt* is not *Osterwyk*. See *Delius* in

Corbeia nova (822, a colony from *Corbeia vetus*)¹³ and *Herford*.

Against the *Slavonians* and *Avari* Charles' wars were as unsuccessful as his attempts to effect their conversion.

The appearance of the banished Jütland prince, *Harald Klak*, at Lewis' court, drew the attention of this emperor to the conversion of the north. Harald was baptized in the year 826 at Ingelheim, and then returned to his native country, attended by *Anschar*.¹⁴ This apostle of the north diffused Christianity chiefly in *North Albingia*; in *Jutland* and *Sweden*, which he visited 829 and 855, he laid a foundation which was still insecure. For the management of these new churches, the recently founded archbishopric of *Hamburg* was bestowed on Anschar, 831, which was united with the bishopric of *Bremen* in 849.¹⁵ Anschar died A.D. 865.

Ledebur's Archiv. f. d. Geschichtskunde d. preutz. Staats, Bd. 9, no. 1 and 5. Niemann's Gesch. Halberstads, Bd. 1 (Halberstadt. 1829), S. 19.

¹³ See the contemporaries, a monk of Corvey, the author of the Hist. translationis S. Viti, c. 5, ss. (ap. Pertz, ii. 577), and Paschasius Radbert in his vita Adalhardi, c. 65 (ap. Pertz, ii. 531). Wigand's Gesch. v. Corvey, Bd. 1 (Höxter. 1819). S. 36, ff.

¹⁴ Vita S. Anskarii by his pupil Rimbertus (Act. SS. Febr. i. 559, ed. Dahlmann in Pertz, Monumenta Germ. historica, ii. 683, translated by Miesegaeus. See above, note 10). Moeller Hist. Cimbrae literaria, iii. 8. Langebeck Chronol. aevi Anschar. in Script. rer. Dan. i. 496. Münter's Kirchengesch. v. Dänem. u. Norweg. i. 266. St. Anschar von G. Ch. Kruse. Altona. 1823. F. C. Kraft. Narratio de Ansario Aquilonarium gentium Apostolo. Hamb. 1840. 4 (also in his Kleinen Schulschriften, neue Folge. Stuttgart. 1843, S. 98). Dr. G. H. Klippe's Lebensbeschreibung des Erzb. Ansgar. Bremen. 1845.—It is to be regretted that Anschar's diarium is lost, as also all his letters, except one. See Münter's Kirchengesch. i. 319. Kruse, S. 227.

¹⁵ L. Giesebricht's wendische Geschichte, v. 780, bis 1182, Bd. 1 (Berlin. 1843), S. 161. J. Asmussen über den Umfang der Hamburger Diöcese und Archidiöcese, in Michelsen's u. Asmussen's Archiv. f. Gesch. d. Herzogthümer Schleswig, Holstein, Lauenburg. Bd. 1, Heft. 1 (Kiel. 1833), S. 109.

FOURTH CHAPTER.

SPANISH CHURCH.

Eulogii Cordubensis († 859) Opera (Memorale Sanctorum lib. iii. Apologeticus pro martyribus. Exhortatio ad martyrium. Epistolae) ed. cum scholiis Ambros. Morales. Compluti. 1574; also in the Bibl. PP. and in A. Schotti Hispan. illustr. iv. 217; best in SS. PP. Toletanorum opera (2 tom. Matriti. 1782, 85. fol.) ii. 391.—Petri Alvari Cordubensis († 862) opera (Confessio. Epistolae. Indiculus luminosus. Versus) in the España sagrada por Henr. Florez (Madrid. 1747–1801, 42. t. 4) xi. 62. Neander, iv. 89. Gfrörer, iii. ii. 810, iii. iii. 1590.

§ 17.

The Spanish Christians (Mozarabes),¹ had enjoyed legal religious freedom under their Saracen rulers,² but they had to suffer in various ways from the fanatical hatred of the Moslems, which had been excited chiefly by the wars of the free Spaniards. While many Christians devoted themselves to Arabic literature, endeavored to attain prosperity in the service of the sovereigns, and avoided every thing which was offensive to the Arabians, though at the same time they were also lukewarm in their Christianity;³ others felt, in consequence of the success with

¹ Not, as Rodericus, archbishop of Toledo († 1245) in Histor. Hispan. iii. c. 22, supposes, Mixtiarabes, eo quod mixti Arabibus convivebant, but Arabi Mustaraba (i. e., Ar. insititii) in opposition to the Arabi Araba, cf. Ed. Pocockii Spec. histor. Arabum. Oxon. 1650. p. 39. Herbelot, s. v. Arab and Mostarab.

² Comp. Ant. Morales de Stato christ. relig. etc. in Schotti Hispan. illustr. iv. 220.

³ Alvari Indiculus luminosus (written 854) c. 9 (ap. Florez, xi. 232): Nunc ad temporem nostrorum reflectamus narrationis articulum. Numquid ipsi nostri, qui palatino officio illorum jussis inserviunt, eorum non sunt implicati palam erroribus, corumque inquinati fulgentes se dicunt esse foetoribus? cum enim palam coram ethnicis orationem non faciunt, signo crucis oscitantes frontem non muniunt, Deum Christum non aperte coram eos sed fugatis sermonibus proferunt, Verbum Dei et Spiritum, ut illi asserunt (as also the Koran), profitentes, suasque confessiones corde, quasi Deo omnia inspiciente, servantes. Quid his omnibus nisi varietatem pardi zelo Dei zelantibus, sibi inesse ostendunt, dum non integre, sed media Christianismum defendunt? Cap. 35: Quis rogo hodie solers in nostris fidelibus laicis invenitur, qui Scripturis sanctis intentus volumina quorumcumque Doctorum latine conscripta respiciat?—Nonne omnes juvenes Christiani vultu decori, lingua diserti, habitu gestu quoque conspicui, gentilicia eruditione praeclari, Arabico eloquio sublimati, volumina Chaldaeorum avidissime tractant, intentissime legunt, ardentissimo disserunt,—Ecclesiae flumina de paradiso manantia quasi vilissima contemnentes? Heu proh dolor linguam suam nesciunt Christiani, et linguam propriam non advertunt Latini, ita ut omni Christi collegio vix inveniatur unus in milleno hominum numero, qui salutatorias fratri possit rationabiliter dirigere literas. Et reperitur absque numero multiplex turba, quac eruditæ chaldaicas verborum explicet pompas.

which their brethren in the faith fought for the cross and their freedom, that they were called upon to make a decided stand as Christians against their oppressors.⁴ This disposition increased so much under the Omniajed *Abd-er-Rahman II.* (822–852) that many were filled with a fanatical zeal for the glories of martyrdom (850), in consequence of the execution of a monk.⁵ This conduct again provoked the Saracens to redoubled hatred and new attacks.⁶ In vain did the moderate, and even a *national synod assembled at Cordova* (852),⁷ declare against this longing for martyrdom;⁸ the fanaticism which had for its

⁴ Thus, even about the year 780, one Migetius asserted, quod cibus infidelium polluat mentes fidelium, and was thereupon reprobated for it by Elipand, archbishop of Toledo (Elipandi Epist. ad. Migetium, c. 11, ap. Florez, iii. 552).

⁵ The first martyr Perfectus (*Eulogii Memor.* ii. c. 1) was certainly provoked by the Mohammedans. Res vero tanti facinoris in sacerdote commissi multos otio secure professionis per deserta montium et nemora solitudinum in Dei contemplatione fruentes ad sponte et publice detestandum et maledicendum sceleratum vatem (Mohammed) exsilire coēgit: majorisque ardoris fomitem moriendi pro justitia cunctis ministrait. Ex. gr. (*Eulog. Epist. ad Wiliesindum*, c. 11): Quidam Presbyterorum, Diaconorum, Monachorum, Virginum et Laicorum repentina zelo divinitatis armati in forum descendentes, hostem fidei repulerunt, detestantes, atque maledicentes, nefandum et scelerosum ipsorum vatem Mahomat, et hoc modo contra eum animosum spiritum erigentes, testimonium protulerunt. “Virum hunc, quem vos summa veneratione excolitis—magum adulterum et mendacem esse cognovimus ejusque credulos aeternae perditionis laqueis mancipandos confitemur,” etc. It was natural that omnes gladio vindice interemti sunt.

⁶ *Eulogius Memor. Sanctorum lib. i.* (written 851) c. 21, complains of dirruptiones basilarum, opprobria sacerdotum, et quod lunariter solvimus cum gravi moerore tributum,—nemo nostrum (i. e., sacerdotum) inter eos securus ingreditur, nemo quietus permeat, nemo septum eorum nisi de honestatus pertransit, etc. Adeo ut multi ex eis tactu indu-mentorum suorum nos indignos dijudicent, propiusque sibimet accedere execrentur. Alvari Indiculus luminosus, c. 6: Quotidie opprobiis et mille contumeliarum fascibus obruti, persecutionem nos dicimus non habere. Nam, ut alia taceam, certe dum defunctionum corpora a sacerdotibus vident—humo dando portare; nomine—dicunt: Deus non misericaris illis: et lapidibus sacerdotes Domini impetentes, ignominiosis verbis populum Domini denotantes, spurciarum finio christicolas transeuntes paedoe infando adspargunt? Sic itidem et cum sacerdotes Dei casu quo quem obviant perviantes, lapides testasque—ante vestigia eorum revolventes, ac improperiioso et infami nomine derogantes, vulgari proverbio et cantico in honesto sugillant, et fidei signum, opprobrioso elogio decolorant. Sed cum Basilicae signum, h. e. tinnientis aeris sonitum—audint,—Christi Domini gregem non uniformi subsanno, sed milreno contumeliarum infamio maledice impetunt et derident.

⁷ Respecting it see J. S. de Acuña Collect. concill. omni. Hispaniae (t. iv. Rom. 1693 and 1694. fol.) iii. 149. Ferreras Histoire générale d'Espagne, ii. 604. *Eulogii Memoriale SS. ii. c. 14:* Of the Metropolitanorum judicio, qui ob eandem causam tunc e diversis provinciis a rege fuerant adunati. Their determination: Inhibitum esse martyrium, nec licere quicquam deinceps ad palaestram professionis discurrere, praemissio pontificali decreto ipsae literae nuntiarunt.

⁸ The views of this synod on the subject are given by its bitterest opponent, *Eulogius Memor. lib. i. c. 18:* Jubent eos non recipi in catalogo Sanctorum, inusitatū scilicet atque profanum asserentes hujusmodi martyrium. Quippe quos nulla violentia praesimalis fidem suam negare compulit, nec a cultu sauctae piaque religionis amovit, sed propria se

spokesmen *Eulogius* and *Alvarus* still brought many to death.⁹ Under the succeeding prince *Mohammed* (852–886), as long as the fanaticism of the Christians continued,¹⁰ their oppressions also continued ; and consequently many of the indifferent¹¹ went

voluntate discrimini offerentes, ob superbiam suam (ita dicunt), quae initium est omnis peccati, interempti suarum parricidae effecti sunt animarum. Praeceptis etiam Evangelicis eos arguendos esse credunt (Matth. v. 44; Luc. iii. 14; 1 Pet. ii. 23; 1 Cor. vi. 10), p. 247 : Non debere esse martyres, aut haberi, qui non violenter tracti sunt ad martyrium, sed sponte sua venientes his convitium intulerant, qui eos in nullo molestia afficerint.—Id. in Apologetico pro martyrib. (c. 3). They said : *Isti tirones et nostrorum temporum confessores ab ictu mucronis celerem tantummodo excipientes interitum, nullam furentium acerbitatem perpessi tortorum, non sub diutinum desudarunt stimulum.* Praesertim cum ab hominibus Deum colentibus et caelestia jura fatentibus compendiosa morte peremti sint. Unde sat eis est si praeteritorum curationem adepti sunt criminum, etc.

⁹ *Eulogius Memor* i. c. 6 : Et licet formidolosis facultas collata sit declinandi rabiem persecutionis, non tamen passim hoc observandum est a perfectis, qui jam praescia Redemptoris potentia denotati et conscripti, quasi ab immensis legionibus ad exercitium proeliorum Dei electi sunt,—secundum Apostolum dissolvi cupiant et esse cum Christo, viam compendii requirentes, qua de corpore mortis hujus erati propere ad caelestem patriam pervenirent, et pia violentia regnum Dei arriperent. Sic quoque armati lorica justitiae in forum prosiliunt, praedicantes Evangelium Dei principibus et nationibus mundi.—ideo perfecto odio contra adversarios Ecclesiae insurgentes, arguant impios de falsidica vatis iniqui doctrina, praestigiis, sacrilegiis,—detestantur quoque et maledictionibus auctorem tantae perversitatis impugnant, eundemque coetum talibus inservientem culturis perenni anathemate damnant. C. 20 : Idcirco huic perdito atque spurcissimo voti resistere, virtus mactae coronae est : sumnumque trophyae tanti derisoris cultum evertere : adeo ut si illum aetas nostra superstitem haberet, nequaquam ab ejus esset interitu christicolis resiliendum.—Foretque (ut reor) tunc melius poenitendum unius occisi homunculi gerere, quam tot nationum luere perniciem. Quoniam quemadmodum sine culpa non est maledicere justos, pios persecui adversitatem parare electis : ita magis meriti esse credo, subvertere impios, Ecclesiae hostibus contraire, bellum parare incredulis, et framea verbi Dei concidere adversarios fidei, etc. C. 24 : Et idcirco, ut quidam sapientum meminit, inter primas dignitates regnum cœlestium sunt ponendi, qui ad passionem venerunt non quaesi : et excellentis voti est inter tormenta prosilire, ubi nou est criminis latuisse. Against the milder view of Mohammedanism *Apolog. pro mart.* c. 12 : Deum ergo et legem isti vanitatis cultores ullo modo habere credendi sunt, qui evangelie institutionis per totum orbem vitalia diffusa præcepta non solum non credunt, verum etiam omni zelo perversitatis magnum discriminem ea fatentibus ingerunt, exosum et iniquum putantes, Christum verum Deum et verum hominem credere ? etc. *Alvari Indiculus luminosus*, c. 2 : Fugiant debiles et infirmi, certent fortes et anini honestate præciucti. Et certe non eos veritatem supprimere, sed tergum consequentibus ob seminarium Evangelii jussit præbere : fugiant de una civitate in aliam (Matth. x. 23), prædicando quae vera sunt et honesta, non (quod absit) tegendo quae sancta sunt et modesta. C. 10 : Nec tantum illa apostolica tempora prædicationi fidei sunt contradenda, imo quousque omnis gens et lingua Christi Evangelio credant, prædicatio Ecclesiae est per omne saeculum seminanda. Puto, quod in hac Ismaelitica gente nullus hactenus extitit prædicator, per quod debitores fidei tencentur.—Et evangelizantibus genti justitiam, in qua nullius prædictatio hactenus præebuit viam, insaniae vociferamus esse recordiam, non complementum evangelizantium præscientiam præsagatam !

¹⁰ In the year 864, Samson presbyter in Corduba, wrote with this view. See *Apologeticus contra Hostegismus Episc. Malacitanum* (ap. Florez. iii. 325.)

¹¹ *Memor. SS.* ii. c. 15 : Qui [Mahomad] ingenito quadam odio saepius quaestionem adversus fideles proponens, non illo inferior esse meritis apparuit, cuius nomine insignitus

over to Islamism. Gradually, however, a calmer state of things returned.¹²

FIFTH CHAPTER.

HISTORY OF PUBLIC WORSHIP.

- PARTICULAR SOURCES:** 1. Liturgical: *Ordo Romanus de Divinis Officiis per totius anni circulum* (belonging to the 8th century). *Amalarii Chorepiscopi Metensis de Divinis Officiis libb. iv. ad Ludov. Imp.* (written 819, 2d ed. after 827) and *de Ordine antiphonarii lib. (after 827)*, comp. Bähr's *Gesch. d. röm. Lit. im. karol. Zeitalter S. 381*. *Rabani Mauri de Clericorum institutione et ceremoniis eccl. libb. iii.* (written 819) and *de Sacris ordinibus, sacramentis divinis et vestimentis sacerdotaliibus*, see above, § 10, note 14. *Walafridi Strabonis de Exordiis et incrementis rerum ecclesiasticarum*, see above, § 10, note 16. All collected in: *de Divinis cathol. Eccl. Officiis varii vetustorum Patrum ac scriptt. libri. editi per Melch. Hittorpium.* Colon. 1568. Paris. 1610. fol.
2. Martyrologies: especially the *Kalendarium Rom.* belonging to the 8th century (in Jo. Frontonis Epist. et dissert. eccl. ed. J. A. Fabricius. Hamb. 1720. 8). The *Martyrologium Aquilejense* (not Romanum, see H. Valesii Diss. at the end of his *Eusebius*), which Ado prefixes to his, as of great antiquity, and which is at least as old as the beginning of the 9th century. *Wandelberti Mon. Prumiensis martyrologium rhythmicum* about 850 (erroneously inserted in Bede's works as *Ephemerides Bedae*) best edited in d'Achery Spicileg. ii. 39; comp. Bähr, S. 114. *Adonis Archiep. Vienn. († 875)*, written about 858, *Martyrologium* (ed. Herib. Rosweyodus appended to *Baronii Martyrol. Rom. Antwerp. 1613. fol.*) Comp. Bähr, S. 501. In part also the later martyrologies of *Usuardus* (about 876) and *Nótker* (892–895).

§ 18.

Though Charlemagne withheld particular tendencies of ecclesiastical superstition,¹ others had taken too deep root to be

ostenditur. Nam ipso die, quo sceptrum regni adeptus est, Christianos abdicari Palatio jussit, dignitate privavit, honore destituit. iii. c. 2: Multi autem sua se sponte a Christo divertentes adhaerebant iniquis, sectamque diaboli summo colebant affectu. C. 3: [Mahomad] jubet ecclesias nuper structas dirure, et quicquid novo cultu in antiquis basilicis splendebat, fueratque temporibus Arabum rudi formatione adjectum elidere. Eulogius was put to death in 859. See life by his friend Alvarus in Schotti Hisp. illustr. iv. 223. *Patres Tolet. ii. 394.*

¹² To Johannes Abb. Gorziensis, who in 959 came to Spain, as legate of the Emperor Otto I., it was said by a bishop of the country (see vita Johannis § 122, in the Act. SS. Feb. iii. 713. Pertz Monum. vi. 372): *Resistere potestati verbo prohibemus Apostoli: tantum hoc unum relictum est solatii, quod in tantae calamitatis malo legibus nos propriis uti non prohibent; qui quos diligenter christianitatem viderint observatores, colunt et amplectuntur, simul ipsorum convictu delectantur, cum Judaeos penitus exhorreant.* Pro tempore igitur hoc videmur tenere consilii, ut, quia religionis nulla infertur iactura, caetera eis obsequiamur, jussisse eorum in quantum fidem non impediunt, obtemperemus. The Christians, in the mean time, must have been very accommodating to the Moslems at that time, if what John reproaches them with be true: *Ad ritum eorum vos audio circumcisos.*

¹ Cap. i. ann. 789, c. 76: *De pseudographiis et dubiis narrationibus, c. 77. De magonibus*.

perceived by him, especially an exaggerated veneration of saints and their relics.² The latter, the legends concerning which became more and more marvelous,³ were brought chiefly from the east⁴ and from Rome.⁵ As they worked miracles⁶ of all

et nudis cum ferro. Capit. iii. ann. 789, c. 4: Ut nullus in Psalterio vel in Evangelio vel in aliis rebus sortire praesumat, nec divinationes alias observare. C. 18: Ut clocas non baptizent, nec chartas per perticas appendant propter grandinem. Capit. Francof. ann. 794, c. 40: Ut nulli novi Sancti colantur, aut invocentur, nec memoriae eorum per vias erigantur; sed ii soli in Ecclesia venerandi sunt, qui ex auctoritate passionum aut vita merito electi sunt. Comp. his principles concerning images of the saints, § 11, note 3.

² Comp. the controversial writings: Christ. Nifanii Ostensio hist. theol. quod Car. M. in quamplurimis fidei articulis formaliter non fuerit Papista. Francof. 1670. 8. On the other side, Nic. Schaten Carolus M. Rom. Imp. romano-cathol. libb. iv. explicatus et vindicatus. Neuhus. 1674. 4. In reply to this, Nifanii Car. M. confessor veritatis evangel. Francof. 1679. 8. Other works see in Walchii Bibl. theol. ii. 369. Karlomanni Capit. i. ann. 742, c. 2. The army must be accompanied by priests, qui propter divinum ministerium, Missarum scilicet solemnia adimplenda, et Sanctorum patrocinia portanda, ad hoc electi sunt, i. e., unum vel duos Episcopos cum capellani Presbyteris Princeps secum habeat, etc. In like manner Caroli M. Capit. viii. ann. 803 (see above § 8, note 3). Capellani a Capa, see Du Fresne Glossar. ad scriptt. med. et. inf. Latin. s. v.); cf. Monachus Sangall. de Gestis C. M. I. c. 4. Even an Alcuin (Homil. de natali S. Willibrordi ed. Froben. ii. 195) says: Te continuis, O pater, prosequimur laudibus, tu nobis assiduis auxiliare precibus. Credimus te in praesentia Domini Dei tui omnia posse impetrare, quae poscis; dum tanta potuisti in praesentia nostra per ejus gratiam efficere miracula; etc.

³ Thus Angilbertus Abb. Centulensis, about 801, of a long series of relics of his cloister, speaks (in Mabillon Act. SS. ord. S. Bened. saec. iv. i. 114), among other things: De ligno Domini, de veste ejus, de sandaliis ejus, de praesepte ejus, de spongia ejus, de Jordane ubi baptizatus est, de petra ubi sedit, quando quinque millia hominum pavit, de pane unde distribuit discipulis suis, de templo Domini, de candela quae in nativitate ejus accensa est,—de monte Horeb, de lignis trium tabernaculorum. De lacte S. Mariae, de capillis ejus, de veste ejus, de pallio ejus. De barba S. Petri, de sandaliis ejus, de casula ejus, et de mensa ejus. De mensa S. Pauli, de orario ejus, de cippo in quo missus fuit, etc.

⁴ Ex. gr. Annales Laurissenses ad ann. 799: Monachus quidam de Hierosolymis veniens, benedictionem et reliquias de sepulchro Domini, quas Patriarcha Hierosolymitanus domino Regi miserat, detulit.

⁵ Gregor. IV. Epist. ad Otgar. (in Mabillonii Analectt. vett. ed. ii. p. 570), confesses that in Rome there remained no bodies of the saints unappropriated.

⁶ Miraculous corpses in the monasteries became often a source of annoyance to serious monks. When among the Voges the body of a monk who had died there, called Spinulus, attracted, by the miracles it wrought, too many people, in the monast. Medianum (Moyen Moutier), the abbot Hildulf († 707) spoke seriously to the saint on this account (Vita Hildulfi in the Historia Mediani in monte Vosago monasterii. Argentor. 1724. 4. p. 62): Si hac populorum confluentia pressi fuerimus, non parum a proposito declinabimus: licet enim Domino cooperante subsidia nostro conferantur loco, tamen animarum timemus pericula. Unde concurrentium comprime turbas, etc. Tunc ergo videres spiritum carne solutum et vita potum obediens mortali:—nam signis cessantibus frequentia quoque desivit. Cf. Mabillon Acta SS. ord. Ben. saec. iii. P. i. Praef. p. 87, s. The expression of Autpertus Abbas monast. S. Vincentii ad Vulturnum in Benevento, in the biography of his three predecessors, is also worthy of notice († 778), ap. Mabillon. l. c. p. 430: Et quidem narrantur de eis quaedam digna miraculosa, sed nostrum ad hoc tantum fuit studium incitatum, ut quibus modis saeculum ac diabolum vicerint apicibus prosequamur.—Et quia multa videntur miraculorum esse particeps, sed nullatenus nomina habent scripta in caelis: nequam hoc in tempore virtutes in Ecclesia, sed perfectam vitam requirimus.

kinds, so were magic powers also ascribed to the mass;⁷ *private masses*⁸ began, and in consequence of this measure altars were multiplied in the churches.⁹ To the festivals¹⁰ were added that of the *Birth of the Virgin* on the 8th September;¹¹ the *Festival*

⁷ Lulli Epist. ad Presbyteros in Thuringia (in Bonifacii Epist. ed. Serar. Ep. 62. Würdtw. Ep. 107): Admonemus Vos, ut rogetis omnes,—ut in communi misericordiam Domini deprecentur, quatenus ab imminenti pluviarum flagello liberemur, i. e., ut unam hebdomadam abstineant se ab omni carne, et ab omni potu, in quo mel sit: secunda feria, iv. feria et vi. feria jejunetis usque ad vesperum: et unusquisque servorum Dei et sanctimonialium L. psalmos cantet omni die in illa septimana, et illas Missas, quae pro tempestatibus fieri soleant, celebrare Vos, Presbyteri, recordamini. Missimus Vobis nomina domini Romani Episcopi, pro quo unusquisque Vestrum xxx. Missas cantet et illos psalmos, et jejunium juxta constitutionem nostram. Similiter pro duobus laicis nomine Megenfrith et Hrabau x. Missas unusquisque Vestrum cantet.

⁸ Walafridus Strabo de Reb. eccles. c. 22: Per totam Missam pro eis quam maxime et quasi nominatum oratur, qui ibi offerunt atque communicant. Possumus autem et debemus—dicere, caeteros in fide et in devotione offerentium et communicantium persistentes ejusdem oblationis et communionis dici et esse participes. Quamvis autem, cum soli sacerdotes Missas celebrant, intelligi possit, illos ejusdem actionis esse co-operatores, pro quibus tunc ipsa celebrantur officia, et quorum personam in quibusdam responsionibus sacerdos exequitur: tamen fatendum est, illam esse legitimam Missam, cui intersunt sacerdos, respondens, offerens atque communicans, sicut ipsa compositio precum evidenti ratione demonstrat. Even Pseudo-Isidore directs (Analeti P. Epist. i. c. 2, in Gratiani Decreto P. iii. dist. ii. c. 10): Peracta consecratio omnes communicent, qui noluerint ecclesiasticis carere liminibus. Sic enim et Apostoli statuerunt, et s. Romana tenet Ecclesia. Cf. J. F. Buddeus de Origine Missae pontificiae in his Miscellaneis sacr. i. 1. Karl d. G. und seine Bischöfe, die Synod von Mainz, A.D 813 (in the Tübinger kath. theol. Quartalschrift, 1824, iii. 416). Some priests went so far as to begin to read mass without any one being present, but this was forbidden, Conc. Mogunt. ann. 813, c. 43. (Mansi, xiv. 74.) Conc. Paris. ann. 829, c. 48 (l. c. p. 567): Irrepsit in plerisque locis, partim incuria, partim avaritia, reprehensibilis usus,—eo quod nonnulli Presbyterorum sine ministris Missarum solemnia frequentent.—Unde—interrogandus nobis videtur hujusmodi corporis et sanguinis Domini solitarius consecrator, quibus dicit: Dominus vobiscum, et a quo illi responderetur: Et cum spiritu tuo: vel pro quibus supplicando Domino inter caetera: Memento, Domine, et omnium circumstantium, cum nullus circumstet, dicit.

⁹ Capitulare in Theodonis villa, ann. 805 promulgatum, i. c. 6 (Baluz. i. 422. Pertz, iii. 132): De altariis, ut non superflua sint in Ecclesiis.

¹⁰ Capitularium, lib. i. c. 158: Hae sunt festivitates in anno, quae per omnia venerari debeant. Natalis Domini, S. Stephani, S. Johannis Evangelistae, Innocentum, Octabas Domini, Epiphania, Octabas Epiphaniae, Purificatio S. Mariae, Pascha dies octo, Letania major, Ascensio Domini, Pentecosten, S. Johannis Bapt., S. Petri et Pauli, S. Martini, S. Andreae. De adsumtione S. Mariae interrogandum relinquimus. Conc. Mogunt. ann. 813, can. 36 (Mansi, xiv. 73): Festos dies in anno celebrare sancimus. Hoc est diem dominicum Paschae cum omni honore et sobrietate venerari, simili modo totam hebdomadem illam observari decrevimus. Diem Ascensionis Domini pleniter celebrare. Item Pentecosten similiter ut in Pascha. In natali App. Petri et Pauli diem unum, nativitatem S. Joannis Baptistae, assumptionem S. Maria, dedicationem S. Michaelis, natalem S. Remigii, S. Martini S. Andreae. In natali Domini dies quatuor, octavas Domini, epiphaniam Domini, purificationem S. Mariae. Et illas festivitates martyrum vel confessorum observare decrevimus, quorum in unaquaque parochia sancta corpora requiescant. Similiter etiam dedicationem templi.

¹¹ Celebrated in the Greek Church as early as the seventh century (see Andreac Crotensis Homil. ii. in Gallandii Bibl. PP. xiii. 93), at Rome in the eighth century (Kalendar.

of Mary's ascension on the 15th August;¹² and the feast of All Frontonis, ed. Fabric. p. 226), and under Charles the Bald, adopted also in the Gallican Church. See Augusti's Denkwürdigk. iii. 102.

¹² Very early there were conjectures respecting the end of Mary. At first it was supposed, from Luke ii. 35, that she suffered martyrdom. In opposition to this Origines Hom. xvii. in Lucam: Nulla docet historia, b. Virginem gladii occisione migrasse: praesertim cum non anima sed corpus ferro soleat interfici. In like manner Ambros. Comm. in Luc. ii. Isidorus Hisp. de Vita et obitu SS. Bedae comm. in Luc. ii. The fable introduced by Epiphanius. Haer. lxxviii. § 11: Ζητήσωσι τὰ ἵχνη τῶν γραφῶν, καὶ εὑρώσιν ἀν οὐτε θάνατον Μαρίας, οὐτε εἰ τέθνηκεν, οὐτε εἰ μὴ τέθνηκεν· οὐτε εἰ τέθαπται, οὐτε εἰ μὴ τέθαπται—ἀλλ' ἀπλῶς ἐσιώπησεν ἡ γραφὴ, διὰ τὸ ὑπερβάλλον τοῦ θαύματος· ἵνα μὴ εἰς ἔκπληξιν ἄγῃ τὴν διάνοιαν τῶν ἀνθρώπων.—τάχα γάρ πον καὶ ἵχνη εὑρομεν τῆς ἄγιας ἐκείνης καὶ μακαρίας, ὡς οὐτε εὑρεῖν ἐστι τὸν θάνατον αὐτῆς. πῆ μὲν γάρ ὁ Συμεὼν φάσκει περὶ αὐτῆς: “καὶ σοὶ αὐτῆς τὴν ψυχὴν διελεύσεται ρομφαία” (Luc. ii. 35)—πὴ δὲ τῆς Ἀποκαλύψεως Ἰωάννου φασκούσῃς, ὅτι καὶ ἐσπευδεν ὁ δράκων ἐπὶ τὴν γυναικί τὴν γεννήσασαν τὸν ἄρρενα, καὶ ἐδόθησαν αὐτῷ πτέρυγες ἀετοῦ, καὶ ἐλήφθη εἰς τὴν ἔρημον, ὅπως ἀν μὴ λάργη αὐτὴν ὁ δράκων (Apoc. xii. 13, 14). Τάχα δὲ δύναται ἐπ' αὐτῷ πληροῦσθαι· οὐ πάντως δὲ δρίζομαι τοῦτο, καὶ οὐ λέγω, ὅτι ἀθάνατος ἔμεινεν· ἀλλ' οὐτε διαβεβαιοῦμαι εἰ τέθνηκεν. ὑπερέβαλε γάρ ἡ γραφὴ τὸν νοῦν τὸν ἀνθρώπινον καὶ ἐν μετεώρῳ εἰλασε, κ. τ. λ. (Similarly Hilarius, can. 20, and Ambrosius de Cain et Abel, i. c. 2, respecting the death of Moses). The use of ambiguous expressions (ex. gr. Euseb. de vit. Const. iv. c. 64. Βαστλεῖς—πρὸς τὸν αὐτὸν θεὸν ἀνελαμβάνετο. Gregor. Tur. de Gloria confess. c. 99: Anniversarii assumptionis S. Aviti dies) contributed probably to the existence of such a fable. It is first found in apocryphal books, in Joannis Ap. εἰς τὴν κοίμησιν τῆς ὑπεραγίας δεσποινῆς (according to Thilo, belonging to the end of the fourth or beginning of the fifth century), Melitonis Ep. Sard. de transitu Virginis Mariae (cf. Thilo Acta S. Thomae Apost. Lips. 1823, in the Notitia uberior novae Cod. Apocr. editionis, p. xvi. ss.). The Roman bishop Gelasius (about 495) declares, however, in his Decretum de libris sacris et apocryphis: Librum, qui appellatur transitus S. Mariae, apocryphum. But Gregorius Turon. de Glor. Mart. i. c. 4, unhesitatingly adopts the fabulous tradition: Impleto a b. Mariae, hujus vitae cursu cum jam vocaretur a saeculo, congregati sunt omnes Apostoli de singulis regionibus ad domum ejus. Cumque audissent, quia essent adsumenda de mundo, vigilabant cum ea simul: et ecce Dominus Jesus advenit cum angelis suis, et accipiens animam ejus tradidit Michaeli angelo et recessit. Diluculo autem levaverunt Apostoli cum lectulo corpus ejus, posueruntque illud in monumento. et custodiebant ipsum, adventum Domini praestolantes. Et ecce iterum adstitit eis Dominus, susceptaque corpus sanctum in nube deferri jussit in Paradisum: ubi nunc resumta anima cum electis ejus exultans aeternitatis bonis nullo occasuris fine perficitur. In the Greek Church it is true that even Andreas Cretensis (about 650) Hom. in dormitionem Mariae (ap. Galland. xiii. 147) hints at the fable; but it is found complete for the first time in Jo. Damasceni λόγοι γ' εἰς τὴν κοίμησιν τῆς Θεοτόκου, and in Nicephori Callisti Hist. Eccl. ii. c. 21, ss. et xv. c. 14. According to Niceph. Call. xvii. c. 28, the emperor Maurice commanded the celebration of the κοίμησις τῆς Θεοτόκου on the 15th August. So also in the Kalendar. Rom. of the eighth century, ed. Fronto-Fabričius, p. 221: Die xv. mens. Aug. sollemnia de pausatione S. Mariae. The Frank Church, on the other hand, celebrated it on the 18th January (Mabillon. Liturg. Gallican. p. 118, ss. 211, ss.). In the eighth century they did not go beyond the pausatio or dormitio, Beda de Locis sanctis, an extract from the account of the travels of a Frank bishop, Arculf, who had been in Palestine shortly before 700, c. 7: In the valley of Josaphat was a church of Mary, and in it an altar, ad eius dexteram monumentum vacuum, in quo S. Maria aliquamdiu pausasse dicitur, sed a quo vel quando sit ablata, nescitur. Introduction of the festum assumptionis into the Frank Church, see note 10. Anastasius in vita C. Paschalis:—Fecit—vestem de chrysoclavo, habentem historiam, qualiter b. Dei Genetrix Maria corpore est assumta. Vita cv. Leonis IV.: Octavam Assumptionis b. Dei Geneticis diem, quae minime Romae antea colebatur, celebrari praecepit. Hinckmari Carmen ad b. Virg. Mariam in A. Maji Classicorum auctorum, v. 455:—

Saints on the 1st November.¹³ The circumstance that the

*Quae caro sancta Dei non est corrupta sepulchro,
Nec tua, qua corpus sumperat ipse Deus.
Cum quo stella maris resides in culmine caeli,
Concelebrata piis laudibus angelicis.*

Wandelberti Martyrolog., ad. 18 kal. Sept. :—

*Octava et decima mundi lux flosque Maria
Angelico comitata choro petit aethera Virgo.*

Supposititious writings contributed to recommend the festival. Thus the sermo b. Hieronymi de ipsius Dominae assuptione, which a monk of Corbey affirmed to be spurious, but Hincmar defended (Flodoardi Hist. Eccl. Remensis, lib. iii. c. 5. Mabil. Ann. Bened. t. iii. lib. 35, no. 100). There were also a lib. and a sermo de Assumt. b. Mariae, falsely attributed to Augustine (in the old edition serm. de Sanctis 34 and 35, in the Benedictine edition, t. v. ap. Serm. 208, and t. vi. app. p. 249). However, Hunfried, bishop of Terouanne, A.D. 862, still needed a miracle for introducing this festival into his diocese. See Annal. Bertin. ad ann. 862. Notker Balbulus in Martyrologio (Canisii Lect. ant. ed. Basnage, ii. iii. 167) defends the account of Gregor. Tur., but adds: *De quibus quia doctissimi tractatores videntur inter se dissidere, non est meum in tam brevi opusculo definire: hoc tamen certissime cum universalis Ecclesia et credimus et confitemur, quia si reverendissimum illud corpus, ex quo Deus est incarnatus, adhuc alicubi in terra celatur. revelatio utique ipsius ad destructionem Antichristi reservatur.* But still we find, about 1004, Atto Vercellensis in Assumptionem b. Mariae (in A. Maji Vett. scriptt. nova collectio, vi. ii. 39): *Corporis vero ejus jam factam resurrectionem affirmare minime audemus, quia nec a SS. Patribus hoc declaratum esse cognoscimus. Denique in valle Josaphat ejus sepulturae manet locus, ubi tamen ejus non reperitur corpus. Sed qui de ea ineffabiliter carnem eduxit, ipse quid de ejus sit corpore novit. Tamen sive in corpore, sive extra corpus, super choros angelorum in caelis exaltatam confitemur.*

¹³ In the Greek Church the Sunday after Whitsuntide is called *ἡ κυριακὴ τῶν ἡγίων πάντων* (Heineccius Abbild. der griech. Kirche, iii. 183) as early as the time of Chrysostom (cf. his *ἐγκώμιον εἰς τὸν ἡγίουν πάντας*, ed. Montf. ii. 711. Leo Allad. de Hebd. et domin. Graec. c. 31). In the Latin Church erroneously derived from Boniface IV. cf. Paulus Diacon. Hist. Longob. lib. iv c. 37: (Phocas) Papa Bonifacio petente jussit in veteri fano, quod Pantheon vocabant, ablatis idolatriae sordibus Ecclesiam beatam semper Virginis Mariae et omnium Martyrum fieri, ut ubi quondam omnium non deorum sed daemonum cultus erat ibi deinceps omnium fieret memoria Sanctorum. In like manner Anastas. vit. lxxviii. Bonif. iv. This church was called S. Mariae ad Martyres (Anastas. vit. lxxvii. Vitaliani and vit. lxxxii. Benedicti II.), the festival of its dedication on the 13th May. Comp. the Martyrol. Aquilejense ap. Ado belonging to the beginning of the ninth century: iii. id. Maj. S. Mariae ad Martyres dedicationis dies agitur a Bonifacio Papa statutus. So also the Kalend. Rom. of the eighth century, ed. Fronto-Fabricius, p. 198. Besides this festival the Martyrol. Aquil. of Ado mentions ad kal. Nov. Festivitas Sanctorum, quae celebris et generalis agitur Romae, which is wanting in Fronto's calendar. (See Frontonis nota in ed. Fabric. p. 233). Consequently, 1. The festival omnium SS. is different from the dedic. Mariae ad Martt. 2. It was celebrated in Rome as early as the eighth century, and in addition to the dedic. Mariae ad Martt. Probably the celebration of it is connected with the Oratorium in honorem omnium Sanctorum (see Anastasius in vita Greg. III.) erected by Gregory III. Ado is the first to confound the two festivals. Adonis Martyrol. ad. iii. idus Maj.: Natalis S. Mariae ad Martyres. Phoco Imperatore b. Bonifacius Papa in veteri fano quod Pantheon vocabatur,—ecclesiam beatam semper virginis Mariae et omnium Martyrum dedicavit. Cujus dedicationis sacratissima dies agitur Romae iii. idus Maji. Id. ad. kal. Nov. Festivitas SS. omnium. Petente namque P. Bonifacio jussit Phocas Imp. in veteri fano, quod Pantheon vocabatur,—ecclesiam b. semperque virg. Mariae et omnium Martyrum fieri, ut ubi quondam omnium non Deorum sed daemoniorum cultus agebatur, ibi deinceps omnium fieret memoria Sanctorum: quae ab illo tempore kal. Nov. in urbe Roma celebris et generalis agitur. Sed et in Galliis, monente s. re-

French, after *Dionysius the Areopagite* had become known to them in the writings attributed to him,¹⁴ confounded him with their own *Dionysius*,¹⁵ helped to obtain acceptance for the Dio-

cordationis Gregorio Pontifici, piissimus Ludovicus Imp. omnibus regni et imperii sui Episcopis consentientibus, statuit, ut solemniter festivitas oo. SS. in praedicta die annuatim perpetuo ageretur. As the dedicatio S. Mar. ad Martt. was not observed in other countries, Usuardus in Martyrol. explained the matter thus: Kal. Novemb. Festivitas b. Dei genetricis et omnium Martyrum, quam Bonifacius Papa celebrem et generalem instituit agi omnibus annis in urbe Roma. Sed et Gregorius Pontifex postmodum decrevit, eandem in honore omnium Sanctorum solemniter observari ab omni Ecclesia. Ptolomaeus Luc. Hist. eccl. ix. c. 6 (Murat. Scriptt. rer. Ital. xi. 921) and Durandus (*Ratio-*
nale divin. offic. lib. vii. c. 34) that Boniface had fixed the festum b. Mariae ad Martyres for the iv. [iii.] idus Maji, but that Gregory IV. transferred it to the kal. Nov. and converted the festival into a fest. omnium SS. This opinion, though frequently repeated, is manifestly erroneous.

¹⁴ As soon as the Franks heard of the writings of Dionysius they were eager after them, because they immediately called to their thoughts the patron saint of the country. Pauli P. Ep. ad Pippinum (cod. Car. no. 65, ap. Mansi, xii. 612) in Embolo: *Direximus etiam Praecellentiae vestrae et libros, quantos reperire potuimus, i.e., Dionysii Areopagiti libros, etc.* (Neander Denkwürdigkeiten, iii. ii. 54, even supposes a trace of the *Pseudo-Dionys.* in Columbanus). Pope Hadrian I. presented these writings to Fulradus, abbot of St. Denys (Mabillon Ann. Bened. lib. xxxi. c. 42). King Michael sent them, 827, to Lewis the Debonaire. See *Rescriptum Hilduini ad Ludov.* [in the Areopagitica] § 4. *Caeterum de notitia librorum ejus, quos patro sermone conscripsit,—lectio nobis per Dei gratiam et vestram ordinacionem, cuius dispensatione interpretatis scrinia nostra petentibus reserant, satisfacit.* Authenticos autem eosdem libros Graeca lingua conscriptos, quando Oeconomus Ecclesiae Constantinop. et cacteri missi Michaclis, legatione publica ad vestram gloriam Compendio functi sunt, in ipsa vigilia solemnitatis S. Dionysii pro munere magno suscepimus. Hence Michael did not send them in a Latin translation, as Mabillon Ann. Bened. lib. xxix. c. 59, and the Hist. liter. de la France, t. v. p. 425, represent. John Scotus translated them anew at the instance of Charles the Bald, about 859 (comp. his two dedications addressed to Charles, and Anastasii Bibl. Ep. ad Carol. in Jac. Usserii Vett. epistolaram Hibernic. sylloge, Dublini. 1632. p. 58; and Nicolai P. I. Ep. ad Car. Calv. in Bulaci Hist. univ. Paris. i. 184), and wrote expositions of them (see *Ang. Maji Classicorum auctorum*, v. p. xlvi.), comp. Bühr rom. Lit. in karol. Zeitalter, S. 486.

¹⁵ First in the (written under Charlemagne) *Gestis Dagoberti*, c. 3 (ap. Bouquet, ii. 580), that *Dionysius Episc.* Parisiensis temporibus Domitiani was martyred: and *Synod. Paris. A.D. 824* (ap. Mansi, xiv. 466), that he a. s. Clemente in Gallias cum duodenario numero primus praedicator directus et—martyrio coronatus est. Hinemar relates (823) that he had read something of the same kind in the *Actis S. Sanctini* (Hinemari Epist. ad Carol. in the Areopagitica and in Mabillonii Vett. analect. ed. ii. p. 212). The two *Dionysii* were completely confounded in the *Actis Dionysii*, which were first printed in the *Act. SS. mens. Octob. iv. 792*, and are older than Hilduin (see *Act. SS. l. c. p. 790, no. 17, ss. p. 701, no. 23, ss.*). The fable indeed was completed and made more general by Hilduin's *Vita et passio Dionysii*, etc. This Hilduin was abbot of St. Denys, and the work was written by order of Lewis the Debonaire, 834. (*Areopagitica* ed. Math. Galenus, Colon. 1563. 8, and contained in Surii Vitis SS. ad. ix. Oct.: Epist. Ludov. P. ad Hilduinum—*Rescriptum Hild. ad Lud. Imp.—Ep. Hild. ad cunctos s. cath. matris Ecclesiae filios et fidelos—Passio Dionysii—Revelatio facta s. P. Stephano.—Ep. Hinemari Rhem. ad Carol. Imp. de Dion. Ar.—Ep. Anastasii Bibl. ad Carol. Imp. contra falsas quorundam opiniones, asserentium b. Dionys. Parisiorum Episc. non esse Areopagitam*). That Hilduin was not a lying impostor originating the fable, as is maintained by J. Launoji *Judicium de Areopagitica*, Paris. 1641. 8, and is frequently asserted, may be seen from *Act. SS. mens. Oct. iv. 696*. The fable was doubted for a long time on account of Gregor. Tur. Hist. Fr. i. 28

nysian mysticism. About the same time the free Spaniards discovered their apostle *James the Elder* in the person afterward called Compostella,¹⁶ and found in him a powerful ally against the Saracens.

(See Vol. I. Div. I. § 57, note 2), and because the martyrologies, as also Usuardus, Ado, Notker (other instances in Launoi) *Discussio responsionis de duobus Dionys.* Paris. 1642. 8. cap. 19), distinguished two Dionysii, the Areopagita on the 3d October, and the Parisiensis on the 9th October. John Scotus Epist. ad Car. Imp. (see note 14) says: *Fertur praeſatus Dionyſius (Areopagita) fuisse diſcipluſus atque adjutor Paui Apostoli,—cujus Lucas commemoraſt in Act. Apost. et Dionyſius Corinth. etc. Hunc eundem quoque non praefati viri, ſed alii moderni temporis aſſerunt—temporibus P. Clementis—Romam veniſſe, et ab eo—in partes Galliarum directum fuſſe, etc.* For the purpose of overthrowing these doubts the Roman abbot Anastasius, about 875, translated a Greek vita Dionysii, in which the same fable appears. Cf. Anastasii Ep. ad Carol. Imp. in *Areopagiticas*: *Paſſionem s. hieromartyris Dionyſii quondam Areopagitae—latino eloquio tradidi—etsi non ex toto verbum e verbo ſenſum tamen penitus hauriens. Cefſet ergo jam quorundam opinio, perhibentium, non eſſe Areopagitam Dionyſium eum, qui prope Parium corpore ac virtutibus redolet, cum hoc et Graecorum quoque stylus—teſtetur et praedicit.* Hujus autem textum b. Methodius, qui a ſede apostolica Constantinopolin Presbyter missus, ejusdem urbis tenuit pontificium—edidit, pauca de multis praecedentibus scriptens excerpens. This Methodius (from 842 patriarch of Constantinople) had formerly been deputy of the patriarch Niccephorus in Rome, and was always in close connection with Rome. It is therefore beyond a doubt that he drew the materials for his vita Dionysii from Western sources, perhaps, as Sirmond and Launoi think, from Hilduini Areopagiticas. Since this time the fable obtained general belief, till in the seventeenth century Sirmond, and especially Launoi, detected the groundlessness of it. See the numerous controversial writings on the subject in Fabricii *Salutaris lux Evang.* p. 386, and Walchii *Bibl. theolog.* iii. 195.

¹⁶ Even Isidore Hispal. de *Ortu ac obitu Patrum*, c. 71 (Opp. ed. Arevalo, v. 183), says, that this apostle preached the gospel to the Spaniards. Respecting the finding of his body the oldest source is the *Historia Compostellana* of Munno, bishop of Montognedo, written in the beginning of the 12th century, published in *Florez España sagrada*, xx. 8, an extract in the *Act. SS. mens. Jul. vi. 16.* The discovery belongs therefore to the time of Adefonsi Casti (Alfonso el Casto, v. 791-842) and Charlemagne. It is put sometimes in the year 798, sometimes 808, sometimes 816 (so Baronius ad h. a. no. 48-52), sometimes still later. Ado, however (about 858), has in his *martyrolog. ad. viii. kal. Aug.* merely: *Natalis b. Jacobi Zebedaei Apostoli.* On the other hand Usuardus (about 876) adds: *Hujus b. Apostoli ſacratissima oſſa ab Hierosolymis ad Hispanias translata, et in ultimis carum ſinibus condita, celeberrima illarum gentium veneratione excoluntur.* The battle of Clavijo said to have been won by his miraculous assistance, 849 (first narrated by Rodericus *Rer. Hisp.* lib. iv. c 13), is doubted even by Spanish historians. See *Act. SS. Jul. vi. 37.*

SIXTH CHAPTER.

HISTORY OF CHURCH DISCIPLINE.

PARTICULAR SOURCES: Besides the capitularies of the French kings, and the decrees of synods and individual bishops: Halitgarii Ep. Cameracensis († 831) Opus de vitiis et virtutibus, remedii peccatorum, et ordine vel judiciis poenitentiae, libb. vi. (in Canisii Lect. ant. ed. Basnage, t. ii. P. ii. p. 87).

§ 19.

By the laws concerning penance, which had long ago become milder, it was now established, that only *public* sins should be visited with public penance, and that too by bishops in synodical judicatures;¹ while *private* offenses were confessed to the priests, who immediately granted absolution under the condition of a time of penance to be expected afterward,² without, however, holding confession to be an indispensable condition of the forgiveness of sins.³ The substitution of other so-called penitential works for

¹ See above § 8, note 26.

² S. Bonifacii Statuta (A. D. 745, first in d'Achery Spicil. i. 507, ap. Mansi, xii. 386), c. 31, and thence extracted in Capitularium, lib. vi. c. 206, where the corrupted text must be corrected after that source: Quia varia necessitate praepedimur, Canonum statuta de reconciliandis poenitentibus pleniter observare, propterea omnino non dimittatur. Curet unusquisque Presbyter (an addition in the capit.: jussione Episcopi de occultis tantum, quia de manifestis Episcopos semper convenit judicare), statim post acceptam confessionem poenitentium, singulos data oratione reconciliari. Capitula Rodulfi Archiep. Bituricensis (in Baluzii Miscell. vi. 139. Mansi, xiv. 962) c. 44: Quorum peccata in publico sunt, in publico debet esse poenitentia per tempora, quae Episcopi arbitrio poenitentibus secundum differentiam peccatorum decernuntur. Quorum autem peccata occulta sunt, et spontanea confessione soli tantummodo Presbytero ab eis fuerint revelata, horum occulta debet esse poenitentia secundum Presbyteri judicium, cui confessi sunt, ne infirmi in Ecclesia scandalizentur videntes eorum poenas, quorum penitus ignorant causas. The procedure at confession is described by Alcuinus de Divinis officiis (de Div. off. libri ed. M. Hittorp. Colon. 1568. fol. p. 51.) How much rarer public penance had become is shown by the decrees of the three councils, A.D. 613, Arelat. c. 26, Rhem. c. 31, Cabilon. c. 25, Jonas Episc. Aurelian. († 843) de Institutione Iaicorum lib. i. c. 10. (d'Achery Spicileg. i. 258), Rhaban de Instit. cleric. c. 30, cf. J. Morinus de Disciplina in administratione sacramenti poenitentiae. Paris. 1651. fol. R. v. Raumer's Einwirkung des Christenth. auf die althoch-deutsche Sprache. Stuttgart. 1845. S. 254.

³ Theodulfi Episc. Aurelian. Capitulare ann. 797 ad parochiae suae sacerdotes, c. 30. (Mansi, xiii. p. 1001): Omni etenim die Deo in oratione nostra, aut semel, aut bis, aut quanto amplius possumus, confiteri debemus peccata nostra. Quia confessio, quam sacerdotibus facimus, hoc nobis adminiculum affert, quia accepto ab eis salutari consilio, saluberrimis poenitentiae observationibus, sive mutuis orationibus peccatorum maculas diluimus. Confessio vero, quam soli Deo facimus, in hoc juvat, quia quanto nos memores

the penitential time, the conditions for doing which acts had already found their way into the *libri poenitentiales*,⁴ was still considered an abuse.⁵ As excommunication became less frequent,

sumus peccatorum nostrorum, tanto horum Deus obliviscitur: et e contrario, quanto nos horum obliviscimur, tanto Dominus reminiscitur. Conc. Cabilon. ann. 813, can. 33: Quidam Deo solummodo confiteri debere dicunt peccata, quidam vero sacerdotibus confitenda esse percenset: quod utrumque non sine magno fructu intra sanctam fit Ecclesiam. Ita dum-taxat et Deo, qui remissor est peccatorum, confiteamur peccata nostra, et cum David dicamus: "Delictum meum cognitum tibi feci," etc. (Ps. xxxii. 5.) Et secundum institutionem Apostoli confiteamur alterutrum peccata nostra, et oremus pro invicem, ut salvemur (Jac. v. 16). Confessio itaque, quae Deo fit, purgat peccata: ea vero, quae sacerdoti fit, docet, qualiter ipsa purgentur peccata. Deus namque salutis et sanitatis auctor et largitor, plerumque hanc praebet sua potentiae invisibili administratione, plerumque medicorum operatione.

⁴ Particularly in England, first in Theodori Cantuar. Lib. poenit. (see Vol. I. Div. II. § 133, note 11. Then similar insertions are found in the Lib. poen. Romanus, as well as in the shorter edition, which Halitgar. Camerac. appended to his books de poenitentia (ap. Canisius-Basnage, ii. ii. 134), as well as in the more copious edition (ibid. p. 122 and 129).

⁵ Conc. Cloveshov. ann. 747 (under Cuthbert, the second successor of Theodore in the see of Canterbury) can. 26 (ap. Mansi, xii. 403): Postremo igitur (sicuti nova adjinventio, iuxta placitum scilicet propriae voluntatis suae, nunc plurimis periculosa consuetudo est) non sit eleemosyna porrecta ad minuendam vel ad mutandam satisfactionem per jejunium et reliqua expiationis opera, a sacerdote Dei pro suis criminibus jure canonico indictam, sed magis ad augmentandum emendationem suam, ut eo citius placetur divinae indignationis ira. Bonum est omnino psalmodiae insistere, bonum est genua saepius veraci flectere intentione, bonum est eleemosynas quotidie dare: sed pro his non est abstinentia remittenda, non est jejunium impositum semel iuxta Ecclesiac regulam, sine qua non remittuntur ulla peccata, relaxandum. Can. 27: Non eis eo licentius—peccare—vel jejunium pro peccatis indictum relaxare, vel eleemosynas minus largire, ullo modo licet, quo pro ipsis alias psalmos cantare putant, vel jejunare. Nuper quidam dives secundum hoc sacculum, petens reconciliationem pro magno quadam facinore suo citius sibi dari, affirmans in suis literis idem nefas iuxta multorum promissa in tantum esse expiatum, ut si deinceps vivere possit, trecentorum annorum pro eo plene jejunium, satisfactionum modis per aliorum scilicet psalmodiam, et jejunium, et eleemosynas, persolutum esset, excepto illius jejunio, et quanvis ipse utcumque vel parum jejunaret. Ergo si ita placari per alios potest divina justitia, cur divites—difficilius voce veritatis regnum intrare caelorum—dicuntur? etc. Conc. Cabilonense, ann. 813, can. 36, against those, qui ex industria peccantes propter eleemosynarum largitionem quandam sibi promittunt impunitatem. Can. 38: Modus autem poenitentiae peccata sua confitendum aut per antiquorum canonum institutionem, aut per S. Scripturarum auctoritatem, aut per ecclesiasticam consuetudinem—imponi debet, repudiatis ac penitus eliminatis libellis quos poenitentiales vocant quorum sunt certi errores, incerti auctores. Qui dum pro peccatis gravibus leves quosdam et inusitatos imponunt poenitentiae modos, consunt pulvilos secundum propheticum sermonum, sub omni cubito manus, et faciunt cervicalia sub capite universae aetatis ad capienda animas, Ezech. xiii. 18 (repeated in Conc. Mogunt. ann. 847, c. 31, and in the Capitulis Rodulfi Archiepisc. Bituricensis c. 33. ap. Mansi, xiv. 958; similarly Conc. Paris. ann. 829, lib. i. c. 32). Can. 45: Nam et a quibusdam, qui Romam Turonumve, et alia quaedam loca sub praetextu orationis inconsulte pergritant, plurimum erratur. Sunt Presbyteri et Diacones et caeteri in clero constituti, qui negligenter viventes, in eo purgari se a peccatis putant, et ministerio suo fungi debere, si praefata loca attingant. Sunt nihilominus laici, qui putant se impune peccare aut peccasse, quia haec loca oratui frequentant—non attendentes quod ait b. Hieronymus: Non Hierosolymam vidiisse sed Hierosolymis bene vixisse landandum est. Qui vero peccata sua sacerdotibus, in quorum

in consequence of this arrangement in the system of penance,⁶ it had become more fearful by the civil forfeitures which were connected with it,⁷ and by the distinction which began to be made in the ninth century between *excommunication* and *anathema*.⁸ Besides, in all matters of this kind the highest appeal was to the diocesan bishop.⁹

sunt parochii, confessi sunt, et ab his agendae poenitentiae consilium acceperunt, si orationibus insistendo, eleemosynas largiendo, vitam emendando, mores componendo, Apostolorum limina, vel quorumlibet Sanctorum invisere disiderant, horum est devotionis modis omnibus collaudanda.

⁶ Caroli M. Capit. iii. anni 803, and thence extracted in Capitul. lib. i. c. 136, lib. vi. c. 217: Ut excommunicationes passim (for which capit. lib. vi. subito) et sine causa non fiant.

⁷ Cf. § 8, note 25.

⁸ The germs of such a distinction in Augustin. Hom. 50, de Poenitentia: Prohibitio (a communione) mortalis and medicinalis. Syn. Rom. v. sub Symmacho A.D. 504 (Mansi, viii. 298): Si vero monachus aut laicus fuerit, communione privetur, et si non emendaverit vitium, anathemate feriatur. Cf. du Pin de Ant. eccl. discipl. p. 261, ss. Synodus Regiaticina A.D. 850, can. 12: Hoc autem omnibus Christianis intimandum est, quia hi qui sacri altaris communione privati, et pro suis sceleribus reverendis adytis exclusi publicae poenitentiae subjugati sunt, nullo militiae saecularis ut concilio, nullamque reipublicae debent administrare dignitatem. Qui vero administratione Episcopi seu sacerdotum perpetrato scelere poenitentiae remedium suspicere noluerint, magis abjiciendi sunt, anathematizandi scilicet, tamquam putrida ac desperata membra ab universalis Ecclesiae corpore dissecdandi, cuiusmodi jam inter Christianos nulla legum, nulla morum, nulla collegii participatio est, quibus neque in ipso exitu communicatur, et quorum neque post mortem saltem inter defunctos fideles commemorationis fit. Sed si ad hoc irrevocabile judicium obdurate cordus contentus trahit, non sine magna tamen examinatione venendum est, et omnia sacerdoti prius experienda, nec absque metropolitani cogitatione, et provincialium Episcoporum communi judicio quemlibet anathematizandum esse permissimus. Comp. Arsenii Episc. (legate of Nicol. I.) Ep. gener. ad omnes Episc. (ap. Mansi, xv. 326). Planck's Gesch. d. kirchlichen Gesellschaftsverfassung, iii. 507.

⁹ Ahytonis Episc. Basiliensis Capitulare (about 820), c. 18 (Mansi, xiv. 396): Nullus ordinatus sive ordinandus migret de sua parochia ad aliam nec ad limina Apostolorum causa orationis. Ecclesiae suae cura derelicta, nec ad palatium causa interpellandi, nec a communione suspensus ab alio communionem recipiendi, sine permissione et praescientia Episcopi sui: quod si fecerit, nihil valet hujusmodi communio, aut ordinatio, aut demigratio. Et hoc omnibus fidelibus denuntiandum, ut qui causa orationis ad limina Apostolorum pergere cupiunt, domi confiteantur peccata sua et sic profiscantur: quia a proprio Episcopo aut sacerdote ligandi aut exsolvendi sunt, non ab extraneo.

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SECOND DIVISION.

FROM NICOLAUS I. TO GREGORY VII. A.D. 858–1073.

MOST IMPORTANT SOURCES.

1. **BYZANTINES:** Georg. Cedrenus and Joh. Zonaras (see preface to Div. I.)
2. **LATINS:** Annales Fuldenses and Bertiniani (see pref. to Div. I. Part. II.) Regino, abbot of Prüm († 915), Chronicon from the birth of Christ till 907, important from 870, with continuation till 967, best edited in Pertzii Monum. i. 537. Flodoardus, canon and keeper of the archives in Rheims, afterward abbot of a neighboring monastery († 966), Hist. Ecclesiae Remensis libb. iv. till 948, ed. J. Sirmond. Paris. 611. 8. G. Colvenerius. Duaci. 1617. 8. Bibl. PP. Lugd. xvii. 500. Annales from 919–966, ap. Pertz, v. 363. Comp. Bähr's Rom. Liter. in karol. Zeitalter. S. 274, 188. Luitprandus, bishop of Cremona († 972), wrote the history of his time from 893 to 964: *Antapodosis libb. vi.* and *de Rebus gestis Ottonis M.* best ap. Pertz, v. 264. The credibility of this source which is often underestimated by those who follow Muratori, is vindicated by Martini in the Denkschr. d. K. Akad. zu München für 1809 und 10. Hist. Class. S. 3, ff. R. A. Koepke de Vita et scriptis Liudprandi. Berol. 1842. 8.—Richerus, monk in the monastery of St. Remigius in Rheims, a friend of Gerbert's, wrote about 995, Historiarum libb. iv. from 888 till 995, especially important from 969 and onward. ap. Pertz, v. 561. Richer Historie de son temps par Guadet, t. i. Paris. 1845. 8 (Latin and French with introduction and commentary).—Thietmarus, bishop of Merseburg († 1018), Chronicon, embracing the period of the Saxon emperors, first ed. complete in Leibnitii Scriptt. Brunsvecens, t. i. then ed. J. A. Wagner, Norimb. 1807. 4, in German by M. Ursinus, Dresden. 170. 8, and J. M. Lappenberg in Pertz Monum. v. 723.—Comp. M. Th. Contzen, die Geschichtschreiber d. sächs. Kaiserzeit nach ihrem Leben u. ihren Schriften Regensburg. 1837. 8.—Hermannus Contractus, monk in Reichenau († 1054), Chronicon from the birth of Christ till 1054, important for chronology, especially from 1045, an important source of history (ap. Pertz, vii. 67), continued by Bertholdus, Hermann's disciple, and likewise monk of Reichenau, till 1080 (ap. Pertz, vii. 264): both abbreviated and continued till 1100 by Bernoldus, Bernaldus, or Bernardus, monk in St. Blascia (ap. Pertz, vii. 385). Hermann and his continuator were first edited complete by P. Aem. Ussermann in the Monumenta res Alemanicas illustrantia, 2 tomi. Typis San-Blasianis. 1790 and 1792. 4to. Comp. Docen' in the Archive. für ältere deutsche Geschichskunde, iii. 1. Stenzel's Gesch. Deutschlands unter den fränkischen Kaisern, ii. 99.—Marianus Scotus, monk, last in Mentz († 1082), Chron. from the creation of the world to the year 1082, continued by Dodechinus till 1200 in Pistorii Rerum Germ. scriptor. t. i. (Mar. Scotti lib. iii. from 1–1082, ed. G. Waitz ap. Pertz, vii. 841).—Lambertus, monk in Hersfeld, usually but incorrectly styled Schafnaburgensis, Annales, fullest from 1040–1077, ap. Pistorius, t. i., then ed. J. C. Krause, Hal. 1797. 8, in German by F. B. Buckholz. Frankf. a. M. 1819. 8, ed. Hesse ap. Pertz, vii. 134. Comp. Stenzel, ii. 101. Locherer, in the Giessener Jahrbüchern f. Theol. und christliche Philosophie, 1834. ii. 3.—Sigebertus, monk in Gemblours († 1113), Chronicon, continuation of Jerome from 381–1112, ap. Pistorius, t. i. ed. L. C. Bethmann ap. Pertz, viii. 268; cf. S. Hirsch Comm. de Sigeb. Gembl. vita et scriptis. Berol. 1841. 8.

[Of Flodoardi's Chronicle a new edition is in the course of publication by the Imperial Academy of Rheims, with an appendix and notes by Abbé Baudeville. The third volume appeared in 1855.]

FIRST PART.

HISTORY OF THE WESTERN CHURCH.

FIRST CHAPTER.

HISTORY OF THE PAPACY.

§ 20.

PSEUDO-ISIDORIAN DECRETALS AND CONSTANTINE'S DEEDS OF GIFT.

Dav. Blondelli *Pseudo-Isidorus et Turrianus vapulantes*. Genev. 1628. 4. C. Blasci *Comm. de collect. cann. Isid. Merc.* in Gallandii Sylloge. ed. Mogont. ii. 1 (Spittler's *Gesch. des canon. Rechts bis auf die Zeiten des falschen Isidorus*. Halle. 1778. S. 220, ff. (in Spittler's Werken, herausgeg. v. Wächter, Bd. i.). Planck's *Gesch. d. christl. kirchl. Gesellschaftsverf.* ii. 800, ff. F. Walter's *Lehrbuch des Kirchenrechts*, vierte Ausl. (Bonn. 1829) S. 135, ff. Möhler's *Fragmente aus und über Pseudo-Isidor*. in his *Schriften u. Aufsatzen*, herausgegeben, v. Döllinger (Regensburg. 1839. 2 Bde.) i. 283. F. H. Knust de *Fontibus et consilio pseudoisidoriana collectionis*. Götting. 1832, 4.

About the middle of the ninth century appeared gradually an Isidorian collection,¹ enlarged with many false decretals, whose object generally tended to counteract the oppression and the

¹ The preface begins: *Isidorus Mercator servus Christi lectori conservo suo et parenti in Domino fidei sautem.* The Merlin editor omits Mercator, some Codd. have, partly as a gloss, *Peccator* (as, for example, Rabanus calls himself before some of his letters *Rabanus peccator*. See Kunstmänn's *Rab. Maurus*, S. 215, 219). See Ballerini *de Ant. collection. canonum* (prefixed to t. iii. Opp. Leonis, and in Gallandii Syll.) P. iii. c. 6, no. 18. Blascus, l. c. cap. 6, p. 35. The Pseudo-Isidorian collection has undergone many additions, omissions, and alterations, and appears therefore perfectly pure in few codices. So also not even in the only complete edition where it is found undivided: J. Merlini tom. prim. iv. concilior. generall. xlviij. conc. provinc. decrett. lxix. Pontificum ab Apostolis usque ad Zachariam I. Isidoro autore. Paris. 1523. fol. (reprinted Colon. 1530. fol. Paris. 1535. 8). Inquiries respecting its original form see in Ballerini, l. c. P. iii. c. 5-8. Spittler, l. c. S. 221, ff. Comp. the description of five Pseudo-Isidorian MSS., especially a Cod. Vatican, written about 868 in France, in the *Notices et extraits*, vi. 265. A critical edition, such as Coustant designed in the second part of his *Epist. Pontiff.*, is still wanting. It consisted of three parts: I. 61 epistolae decretales of the popes of the first three centuries, from Clement to Melchiades (two from Clement to James were before forged, but newly interpolated, 59 Pseudo-Isidoriana). II. Canons of councils, chiefly from the genuine Isidorian collection. III. Epist. decrett. from Sylvester till Gregory the Great, of which 35 Pseudo-Isid., the others mostly from the Isidorian collection. Many regulations were fabricated after the accounts of the *liber pontificalis*. These, which were intended only to give credibility to the imposture, must therefore be left out of the question in determining the object of the imposture. Blascus, l. c. cap. 15. How rich this period generally was in such forgeries may be seen in Spittler, l. c. S. 243 and 252.

disorder of the clergy² as well as ecclesiastical irregularities generally, which were the consequences of political divisions and disturbances under the successors of Charlemagne.³ These decretals consisted of admonitions, instructions, and regulations, compiled for the most part from existing ecclesiastical literature. But they are of historical importance, only in consequence of the new principles of ecclesiastical law by which, developing a tendency that had arisen already in the Church amid the weakness and disunion of worldly power (see § 7, note 25, ff.) they were meant to make the Church independent of the state, and to give it a self-dependent center of protection in the Romish see. Exaltation of the episcopal dignity;⁴ numerous definitions for the

² The contents and sources in general are pointed out ap. Knust, p. 22; the sources of individual documents are indicated, *ibid.* p. 33.

³ Comp. § 7, note 24. Agobardus de Privilegio et jure sacerdotii, c. 1: Pressurae, odia et despicio Ecclesiarum atque Clericorum nunc infervescere coepérant saeculis inaudito et inusitato modo. Idem de Dispensatione ecclesiasticarum rerum, c. 15: Nunc in quibusdam locis nullus ordo hominum, sive sint liberi, sive servi, de habitatione sua tam infidus est, ut sacerdotes: utpote qui nullo modo securi esse possint, nec scire, quot diebus Ecclesiam vel habitaculum suum eis habere sit licitum. Nunc non solum possessiones ecclesiasticae, sed ipsa etiam Ecclesiae cum possessionibus venundantur. Thus the synod at Thionville, 844, complained to the assembled kings (Pertz, iii. 380, Baluz. cap. ii. 7), c. 1: Constat hanc sanctam Ecclesiam,—praedecessorum vestrorum multo labore redintegratam ac adunatam atque gubernatam, vestra discordia esse discissam et perturbatam atque afflignant. C. 2: Monemus ut sedes, quae vestra discordia—sine Episcopis viduatae manent, subnota funditus peste simoniaca haeresos—aut Episcopos—a vobis regulariter designatos—accipiant, aut quae suis Episcopis quacunque occasione privatave sunt, canonice eos—recipiant. C. 5: On the restoration of the monasteries bestowed on laymen. In like manner the Concil. in Verno palatio, 844 (Pertz, iii. 383. Baluz. ii. 13): The Synod of Mainz, 847, to Lewis the German (Mansi, xiv. 901): Proh dolor, his temporibus nec loca sancta venerantur, neque ministri Dei condigne honorantur: sed versa vice illi, qui honorari debuerunt, flagellantur, spoliantur, atque diversis calumniis franguntur. Comp. Möhler, i. 321. Such a condition is also presupposed and indicated in the Pseudo-Isidorianis. See Möhler, i. 294. Ex. gr. Pii I. Ep. ii.: Ad sedem apostolicam perlatum est, quod—praedia divinis usibus tradita quidam humanis applicant usibus, et Domino Deo, cui tradita sunt, ea substrahunt, ut suis usibus inserviant. Zephyrini Ep. ii.: Nuntiatum est sedi apostolicae per apocriarios vestros, quosdam fratrum nostrorum Episcoporum videbile, ab ecclesiis et sedibus propriis pelli, suaque eis auferri supellectilia, et sic nudos et expoliatos ad judicia vocari.

⁴ Ex. gr. Urbani P. (A.D. 222) Ep. unic.: Ideo ista praetulimus, carissimi, ut intelligatis potestatem Episcoporum vestrorum, in eisque Dominum veneremini, et eos ut animas vestras diligatis, et quibus illi non communicant, non communiceatis, et quos ejecerint non recipiatis. Valde enim timenda est sententia Episcopi, licet inuste liget aliquem, quod tamen summopere providere debet. Pontiani P. (A.D. 230) Ep. 1: De illis enim dictum est, “qui vos contristabit, me contristabit, et qui vobis facit injuriam, recipiet id, quod inique gessit;” et alibi: “Qui vos audit, me audit, et qui vos spernit, me spernit. Qui autem me spernit, spernit eum, qui me misit.” Hi enim non sunt infestandi, sed honorandi. In eis quoque Dominus honoratur, cujus legatione funguntur. Hi ergo si forte eccleriant, a fidelibus sunt sublevandi et portandi. Accusandi autem non sunt ab infamibus, aut sceleratis, vel inimicis, aut alterius sectae hominibus vel religionis. Si peccaverint, a

purpose of securing the clergy, and in particular, the bishops against attacks;⁵ limitation of the metropolitans, who were often

reliquis arguantur sacerdotibus, sed et a summis pontificibus constringantur, et non a saecularibus aut malae vitae hominibus arguantur vel arceantur.

⁵ Here belong the many declamations against robbing clergymen, and the new principles respecting accusations brought against them, the last derived in part from the Roman law, cf. Blascus, cap. 8, p. 54, ss. Walter, S. 151, ss. Ex. gr. Pii P. Ep. i. (ann. 147): *Oves pastorum suum non reprehendant, plebs vero Episcopum non accuset, nec vulgus cum arguat, quum non est discipulus super magistrum, neque servus supra dominum.* Episcopi autem a Deo sunt judicandi, qui eos sibi oculos elegit, nam a subditis aut pravae vitae hominibus non sunt arguendi vel accusandi aut lacerandi, ipso domino exemplum dante; qui per se ipsum, et non per alium vendentes sacerdotes, et ementes ejecit de templo, etc. Eleutherii P. Ep. de Accusationibus Clericorum,—quia omnes eorum accusations difficile est ad sedem apostolicam deferre, finitiva Episcoporum tantum judicia huc deferantur, ut hujus s. sedis auctoritate finiantur. Nec in eorum Ecclesiis alii aut praeponantur aut ordinantur, antequam hic eorum juste terminentur negotia. Quoniam quamvis licet apud Provinciales et Metropolitanos atque Primates eorum ventilare accusations vel criminaciones, non tamen licet diffinire secus quam praedictum est. Reliquorum vero Clericorum causas apud Provinciales et Metropolitanos ac Primates et ventilare et juste finire licet. Eusebii P. Ep. ii.: In scripturis vestris reperimus, quosdam Episcopos vestris in partibus a propriis ovibus accusatos, aliquos videlicet ex suspicione, et aliquos ex certa ratione: et idcirco quosdam esse rebus suis expoliatos, quosdam vero a propria sede pulsos. Quos sciatis nec ad synodum—posse vocari, nec in aliquo judicari, antequam cuncta, quae eis sublata sunt, legibus, potestati eorum redintegrantur. Prius ergo oportet omnia illius legibus redintegrari, et ecclesias, quae eis sublatae sunt, cum omni privilegio, sibi restitui, et postmodum non sub angusti temporis spatio, sed tantum temporis spatium eis iudiceatur, quantum expoliati vel expulsi esse videntur, antequam ad synodum convocentur, et ab omnibus quibusque sua provinciae Episcopis audiatur. Nam nec convocari ad causam, nec dijudicari potest expoliatus vel expulsus, quia non est privilegium, quo expoliari possit jam nudatus. Zephyrini P. Ep. i. (A.D. 208): Patriarchae vero vel Primates accusatum discentientes Episcopum, non ante sententiam proferant finitivam, quam apostolica fulti auctoritate, aut reum scipsum confiteatur, aut per innocentes et regulariter examinatos convincatur testes. Qui minori non sint numero, quam illi discipuli fuerunt, quos Dominus ad adjumentum Apostolorum eligere praecepit, i. e., septuaginta duo. (Even earlier it appears that this number of bishops was called to the condemnation of a bishop, either with reference to the 70 disciples, or to the great Jewish Sanhedrim. So Macdonius was deposed by 72 bishops, chron. Pasch. ad ann. 360; so Chronopius by 70, cod. Theod. xi. 36, 20, cf. Gothofred. ad h. l. So also the constitutio Sylvestri (cap. iii. ap. Mansi, ii. 623), which had been previously forged, demands: *Non dannabitur praesul nisi in septuaginta duobus;* but even Alcuinus, Ep. 92, ad Arnonem, A.D. 800, interprets this sentence, non minus LXXII. testibus Pontificem accusandum esse. In like manner, too, Leo IV., about 850, see above, § 7, note 28. Since this regulation was carried out into practice in none of the two forms before Pseudo-Isidore in the west, we can not suppose a change of the custom; but the later acceptance of it is merely a consequence of the ambiguity of the expression in the Constit. Sylvestri.) Accusatores autem eorum omni careant suspicione, quia columnas suas Dominus firmiter stare voluit, non a quibuslibet agitari. Duodecim enim judices quilibet Episcopus accusatus, si necesse fuerit, eligat (so the Conc. Carthag. i. A.D. 348, can. 11, determines that a deacon shall be judged by three, a presbyter by six bishops: si Episcopus, a XII. consacerdotibus audiatur, i. e., a successor of the apostles by the apostolic number. Also Leo IV. requires 12 bishops as judges, or 72 witnesses. See above, § 7, note 28), a quibus ejus causa juste judicetur: nec prius audiatur, aut excommunicetur, vel judicetur, quam ipsi per se eligantur, et regulariter vocato ad suorum primo conventum Episcoporum, per eos ejus causa juste audiatur et rationabiliter discernatur. Finis vero ejus causa ad sedem

very much dependent upon the civil power;⁶ elevation of the primates to be the first instruments of the popes;⁷ and in particular, an enlargement of the privileges of the Roman see;⁸ these

apostolicam deferatur, ut ibidem terminetur. Nec antea finiantur, sicut ab Apostolis vel successoribus eorum olim statutum est, quam ejus auctoritate fulciatur.

⁶ Against these and provincial synods the objection in Sixti II. Ep. ii. is valid: Fratres, quos timore terreno injuste damnastis, scitote a nobis juste esse restitutos.

⁷ Aniceti P. Ep. (in part ap. Gratian. ii. ix. iii. 6): Nulli Archiepiscopi Primates vocentur, nisi illi, qui primas tenent civitates, quarum Episcopos, Apostoli et successores Apostolorum regulariter Patriarchas et Primates esse constituerunt, nisi aliqua gens deinceps ad fidem convertatur, cui necesse sit propter multitudinem eorum Primatem constitui. Reliqui vero, qui alias metropolitanas sedes adepti sunt, non Primates sed Metropolitanani nominentur. Si autem aliquis Metropolitanorum inflatus fuerit, et sine omnium comprovincialium praesentia vel consilio Episcoporum, aut eorum aut alias causas, nisi eas tantum, quae ad propriam suam parochiam pertinent, agere aut eos gravare voluerit: ab omnibus districte corrigatur, ne talia deinceps presumere audeat. Si vero incorrigibilis, eisque inobediens apparuerit, ad hanc apostolicam sedem, cui omnia Episcoporum judicia terminare praecepta sunt, ejus contumacia referatur, ut vindicta de eo fiat, et caeteri timorem habeant. Si autem propter nimiam longinquitatem, aut temporis incommoditatem, vel itineris asperitatem grave ad hanc sedem ejus causam deferre fuerit, tunc ad ejus Primatem causa deferatur, et penes ipsum hujus sanctae sedis auctoritate judicetur. Comp. Stephani P. Ep. ii., where it is added besides: Si prohiberi non potuerunt accusationes Episcoporum, ad memoratos Primates debent ab accusatoribus deferri. Comp. Blascus, cap. 12, p. 99, ss., and cap. 13, p. 111, ss., the just remark that the object of this provision was to exalt the archbishop of Mainz. In fact a distinction began to be made already between primates and metropolitanas (de Marca de Primatu Lugdunensi, c. 23, ss., in his dissertatt. appended to de Concord. Sac. et Imp. ed. Boehmer, p. 23); but this did not prevent the rights taken from the metropolitaus eventually falling into the net of Rome.

⁸ For Sixti I. Ep. ii.: Ab hac enim sancta sede a sanctis Apostolis tueri, defendi et liberari Episcopi jussi sunt. On the Pseudo-Isidorian papal system see Planck, ii. 815. Knust, p. 30. Designation of the pope as universalis Ecclesiae Episcopus in Sixti I. Ep. ii., Victoris Ep. i., Stephani Ep. ii., Pontiani Ep. ii., Vigili Ep. ad Profuturum (where cap. 6 and 7 are Pseudo-Isidorian), c. 7 (partly ap. Grat. ii. ii. vi. 12): Nulli vel tenuiter sentienti vel pleniter sapienti dubium est, quod Ecclesia Romana fundamentum et forma sit Ecclesiarum (*τύποι τῶν ποιμνίου*, 1 Petr. v. 3. Vulg. forma gregis), a qua omnes Ecclesias principium sumsisse nemo recte credentium ignorat, cum licet omnium Apostolorum pars esset electio, beato tamen Petro concessum est, ut caeteris praeminaret, unde et Cephas vocatur, quia caput est et primus omnium Apostolorum. Et quod in capite praecessit, in membris sequi necesse est. Quamobrem S. Romana Ecclesia ejus merito Domini voce consecrata, et SS. Patrum auctoritate roborata primatum teuet omnium Ecclesiarum, ad quam tam summa Episcoporum negotia et judicia atque querelae, quam et maiores Ecclesiarum quaestiones, quasi ad caput, semper referenda sunt. Nam et qui se scit aliis esse praepositum, non moleste ferat aliquem esse sibi praelatum: ipsa namque Ecclesia, quae prima est, ita reliquis Ecclesiis vices suas credit largiendas, ut in partem sint vocatae sollicitudinis, non in plenitudinem potestatis (this remarkable expression borrowed from Leonis M. Ep. xii. ad Anastas. Thessal.: Vices enim nostras ita tuae credimus Caritati, ut in partem sis vocatus sollicitudinis, non in plenitudinem potestatis, namely, as papal vicar in Illyria; cf. de Marca Conc. Sac. et Imp. lib. v. c. 26, § 5, ss. Gibert. Corp. jur. can. tom. i. Proleg. p. 261, Sect. 3).—Anacleti I. Ep. iii.: Haec vero apostolica sedes cardo et caput omnium Ecclesiarum a Domino, et non ab alio est constituta. Et sicut cardine ostium regitur sic hujus sanctae sedis auctoritate omnes Ecclesiae Domino disponente reguntur. By its side, the expression borrowed from Cyprian is singularly remarkable (see Vol. I. Div. I. § 68, note 10). Anacleti I. Ep. ii. (Gratian. i. xxi. 2):

form the chief ecclesiastical and legal contents of the *Pseudo-Isidoriana*. They must have been written between 829⁹ and 845¹⁰

In novo testamento post Christum Dominum a Petro sacerdotalis coepit ordo: quia ipsi primo pontificatus in Ecclesia Christi datus est (Matth. xvi. 18). Hic ergo ligandi atque solvendi potestatem primus accepit a Domino. Caeteri vero Apostoli cum eodem pari consortio honorem et potestatem acceperunt, ipsumque principem eorum esse voluerunt. New papal rights: 1. Regarding the power of making laws: Damasi Ep. v. (Grat. ii. xxv. i. 12): Omnia decretalia et cunctorum decessorum nostrorum constituta, quae de ecclesiasticis ordinibus et canonom promulgata sunt disciplinis; ita a vobis et ab omnibus Episcopis ac cunctis generaliter sacerdotibus custodiri debere mandamus, ut, si quis in illa commiserit, veniam sibi deinceps noverit denegari. This passage is from Leonis I. Ep. iv. c. 5, but is there addressed to the bishops of the Roman patriarchal jurisdiction, here to the Numidian bishops, and, accordingly, contains here an obligation devolving on all bishops, which the forger has made still more remarkable by this circumstance, that he changed Leo's more modest formula, a vestra dilectione, for the other, a vobis—sacerdotibus). 2. Regarding ecclesiastical judicature: Julii Ep. i. (Grat. ii. iii. vi. 9): Dudum a SS. Apostolis, successoribusque eorum in antiquis decretum fuerat statutis, quae hactenus s. et universalis apostolica tenet Ecclesia, non oportere praeter sententiam Romani Pontificis concilia celebrari, nec Episcopum damnari, quoniam s. Romanam Ecclesiam primatem omnium Ecclesiarum esse voluerunt, et sicut b. Petrus Ap. primus fuit omnium Apostolorum, ita et haec Ecclesia suo nomine consecrata (Domino instituente) prima et caput sit caeterarum, et ad eam, quasi ad matrem atque apicem, omnes majores Ecclesiae causae et judicia Episcoporum recurrent et juxta ejus sententiam terminum sumant: nec extra Romanum quicquam ex his debere decerni Pontificem. Zephyrini Ep. 1 (Grat. ii. ii. vi. 8): Ad Romanam Ecclesiam ab omnibus, maxime tamen ab oppressis, appellandum est et concurrendum quasi ad matrem, ut ejus uberibus nutritantur, auctoritate defendantur, et a suis oppressionibus releventur; quia nec potest nec debet mater oblitisci filium suum. Cf. Damasi Ep. iv.: Discutere namque Episcoporum et summorum ecclesiasticorum negotiorum causas Metropolitanos una cum omnibus suis comprovincialibus, ita ut nemo ex eis desit et omnes in singulorum concordent negotiis, licet; sed definire eorum atque ecclesiasticarum summas querelas causarum, vel damnare Episcopos absque hujus s. sedis auctoritate minime licet, quam omnes appellare, si necesse fuerit, et ejus fulciri auxilio oportet. Nam, ut nostis, synodus sine ejus auctoritate fieri, non est catholicum, etc. Julii Ep. ii. (Gratian. i. xvii. 2): Nec ullum [concilium] ratum est aut erit unquam quod non fultum fuerit ejus [Romanae Ecclesiae] auctoritate. How the way had been gradually prepared for the doctrine: Praeter sententiam Rom. Pont. non oportere Episcopum damnari, since the time of Gregory IV., may be seen above, § 7, note 28, de Marca, lib. vii. c. 21. The position: Non oportere praeter sententiam Romani Pontificis concilia celebrari, is borrowed from the historia tripartita, etc. (see Vol. I. Div. II. § 94, note 28), there, perhaps, meant only of general councils, but was also never in force in respect to provincial and diocesan synods. 3. Relating to the ecclesiastical administration, Calixti Ep. ii. (Grat. ii. vii. i. 39): Si utilitatis causa fuerit mutandus [Episcopus], non per se hoc agat, sed fratribus invitantibus, et auctoritate hujus sanctae sedis faciat, non ambitus causa, sed utilitatis et necessitatis. However, the *Pseudo-Isidore* does not continue here to observe uniformity of sentiment. See Anteri Ep.: Sicut Episcopi habent potestatem ordinare regulariter Episcopos et reliquos sacerdotes, sic quoties utilitas aut necessitas coegerit, supradicto modo et mutare et inthronizare potestatem habent. Gratian, who adopts this passage, Causa, vii. qu. i. c. 34, has for the first time appended to it the words: Non tamen sine sacrosanctae Romanae sedis auctoritate et licentia.

⁹ For passages of the synod of Paris of 829 are inserted in the letters of Urban I. and John III. Blascus, however, l. c. p. 39, ss. is of another opinion.

¹⁰ Because in this year Benedictus Lev. began to compile his collection of capitularies (comp. the pref. to § 7), in which *Pseudo-Isidoriana* first appear in great numbers, but without being quoted by name, as if they were taken from capitularies. Comp. Bened.

in eastern France;¹¹ and were first published, in a pretended Isidorian collection which Archbishop *Riculf* (786–814) is said to have brought from Spain, at Mainz, in the time of Archbishop *Autcarius* (826–847).¹² They were soon circulated in various collections,¹³ appealed to without suspicion in

præf. (ap. Baluz. i. 803: *Haec vero capitula, quae in subsequentibus tribus libellis coadunare studuimus, in diversis locis et in diversis schedulis, sicut in diversis synodis ac placitis generalibus edita erant, sparsim invenimus, et maxime in s. Magontiacensis metropolis ecclesiae scrinio a Riculfo ejusdem s. sedis Metropolitano (from 786–814) recondita, et demum ab Autcario secundo ejus successore atque consanguineo inventa reperimus.*

¹¹ So Blondellus, Ballerini, Spittler, Planck. On the other hand, their origin is put in the time of Charlemagne by Natalis Alexander, Baluzius, Petrus de Marca, Mabillon, and Blascus, l. c. cap. 6.—Febronius de *Statu Eccles.* t. i. p. 643, supposes that they were composed in Rome soon after 744; Theiner de *Pseudo-Isidoriana canonum collectione diss.* Vratislav. 1827. 8. p. 71, 79, that they were written between 774 and 785 in Rome at the instigation of the popes; Eichhorn *Grundsätze des Kirchenrechts*, i. 158, that they appeared in Rome in the eighth century, and were subsequently foisted into the Isidorian collection, in the Frank empire.

¹² Hence Hincmar. *adv. Hinclm. Laud.* c. 24, designates it as *liber collectarum epistolarum ab Isidoro, quem de Hispania allatum Riculfus, Moguntinus Episcopus,—obtinuit, et istas regiones ex illo repleri fecit.* Hincmar, however, was wrong in this, that Riculf had already circulated it, for, according to Benedictus Levita (note 10), it was in s. Magontiacensis ecclesiae scrinio a Riculfo recondita, et demum ab Autcario inventa. Probably Riculf had received the genuine Spanish collection from Spain; for it is this which his suffragan bishop Rachio, bishop of Strasburgh, caused to be copied in the year 787. This genuine collection was afterward transformed into the Pseudo-Isidorian, which was then put forward, pretending to be the other. Benedictus Levita has frequently been looked upon as the forger, who certainly was the first that made use of the false decretals in his collection of capitularies, and gave them more extended circulation. But, in any case, Autcarius must have been privy to it. It is probable, indeed, that he was the proper author, and that he employed Benedict solely as an instrument. As an instrument for the propagation of them, he was the more useful, the less he suspected the forgery. Petr. de Marca (*de Conc. Sac. et Imp. lib. iii. c. 5*), and Blascus (l. c. cap. 6) regard Riculf as the forger, but incorrectly.

¹³ Rabanus Maurus, however, does not mix any Pseudo-Isidoriana in his *Liber poenitentiarum* between 841 and 847. See Ballerini *de Ant. coll. can. P. iv. cap. 8, § 4.* Collections in which they are found are besides Bened. *Capitul. libb. iii. the additio quarta capitularium* (see Spittler *Gesch. des canon. Rechts S. 247*). Hadriani *P. I. Capitula Angilramno tradita, or Capitula Angilramni*, ap. Mansi, xii. 903, ss., supposed to belong to A.D. 785, were first brought to light about 870 by Hincmar of Laon. See *Hinclm. Rhem. Opusc. adv. Hinclm. Laud. c. 24*, see below, note 16, evidently spurious; Ballerini, *P. iii. cap. vi. § 2, note 8*; Blascus, p. 151; but not perhaps by Hincmar of Laon, as Spittler *Gesch. des canon. Rechts*, S. 235, 271, assumes. See Gfrörer, iii. ii. 1079. According to Wasserschleben (*Beiträge zur Gesch. d. vorgratian. Kirchenrechtsquellen*, Leipzig. 1839, S. 14), they proceeded really from Angilramnus and Hadrian, and the Pseudo-Isidorian was a later interpretation: on the other hand, Rettberg K. G. Deutschlands, i. 647, holds that the chapters were composed by the author of the false decretals, but earlier than the latter. Comp. generally Rettberg, i. 501 and 646. *Capitula Remediæ* (in Goldast. *Scriptt. rer. Alem. ii. ii. 119*. Die Kanonensammlung des Remediæ v. Chur, zuerst vollständig herausgegeben u. krit. erläutert v. Dr. F. Kunstm. Tübingen. 1836. 8), alleged to belong to the time of Charlemagne. On the other side see Ballerini, *P. iii. c. 4, § 13*. Spittler *Gesch. des canon. Rechts*, S. 236: according to Knust in the *Theol. Stud. u. Krit.* .666, i. 161, the series of canons drawn from Pseudo-Isidore belonged to a Bavarian synod,

public transactions,¹⁴ and used by the popes, from Nicolaus I., immediately after he had become acquainted with them (864),¹⁵

probably at Ratisbon, A.D. 895; according to Kunstmann, l. c. p. 58, they were composed about 870 in Bretagne, by a clergyman addicted to the metropolitan of Tours. *Capitula Isaaci Ep. Lingouensis* (in Baluzii *Capitol.* i. 1233, about the year 859. See Ballerini, P. iv. c. 9, § 8; Spittler, S. 281). A MS. collection in the royal library at Paris, No. 3859, belonging to the end of the ninth century, See Dr. Aug. Theiner über Ivo's vermeintl. *Decret.* Mainz. 1832. S. 9. *Collectio Anselmo dedicata* between 883 and 897 (cf. Coustant *Diss. de ant. canonum collect. no. 169*, s. Ballerini, P. iv. c. 10), from which Burchard has borrowed the greatest part of his work, Theiner, p. 13.—Subsequently Regino Prumiensis in his *de Disciplinis eccles. libb. ii.* (about 906) made indeed little use of the *Pseudo-Isidoriana* (Ballerini, P. iv. c. 11): But Burcardus Ep. Wormatiensis took so much the more pains to introduce them into the general usage of the church, by his *Decretorum volumen* (about 1020).

¹⁴ First A.D. 857 in the *epistola synodalis* (written by Hinemar at the Syn. Carisiaca) sub nomine Caroli R. ad Episc. et Com. Galliae scripta ap. Baluz. ii. 92, Pertz, iii. 453, Mansi, xv. 127): *Audiant raptore et praedones rerum ecclesiasticarum, quod S. Anacletus P. ab ipso Petro Apostolo Presbyter ordinatus cum totius mundi sacerdotibus judicavit, etc.* Item S. Urbanus Papa et martyr, etc. Item S. Lucius Papa, etc. About 860, when Hermann, bishop of Nevers, was to be deposed on account of fatuity, Wenilo, archbishop of Sens sent by Servatus Lupus to Nicolaus I. to ask (ap. Mansi, xv. 397, *Serv. Lup. Epist. 130*, ed. Baluz. p. 194; comp. Baluz.'s remarks, p. 466, ss.): *Dicitur autem Melchades P. decrevisse, ne quis unquam Pontifex sine consensu Papac Romani deponeretur. Unde supplicamus, ut statuta illius, sicut penes vos habentur, nobis dirigere dignemini, etc.* Nicolaus in his reply (ap. Mansi, l. c.) praises highly his determination to send to Rome: *Antequam ad consulta vestra mentis oculum inclinemus, parumper in laudibus vestris stylum operae pretium duximus immorandum*, and goes on to speak of Hermann's case, but gives not one syllable of reply to his question. Respecting the proceedings, see Blascus, l. c. p. 17.

¹⁵ Leo IV. says, as late as the year 850, in Ep. ii. ad Episc. Britann. c. 6. (ap. Mansi, xiv. 884, ap. Gratian. P. i. dist. xx. c. 1): *De libellis et commentariis aliorum non convenit aliquem judicare, et ss. Conciliorum canones relinquere, vel decretalium regulas, i. e., quae habentur apud nos simul cum illis in canone, et quibus in omnibus ecclesiasticis utimur judiciis, i. e. Apostolorum, Nicaenorum, etc.: et cum illis regulae praesulum Romanorum Sylvestri (the constit. Sylv. were forged still earlier than the *Pseudo-Isidoriana*, see Vol. I. Div. II. § 117, note 15. Blascus, l. c. p. 11. 25). Siricii, Innocentii, Zosimi, Caelestini, Leonis, Gelasii, Hilarii, Symmachi, Simplicii.* Isti omnino sunt, per quos judicant Episcopi, et per quos Episcopi simul et clerici judicantur. Even Nicolaus I. neither knew of those decretals in 860 (see note 14), nor does he know in 863, in. Ep. v. ad Hincmarum (ap. Mansi, xv. 374) of older *constitutiones Rom. sedis Pontiff.* than those of Siricius, Innocentii, etc. In like manner he refers in Rothad's case (863) only to the Sardican canons; in his sermo made on the day before Christmas, 864, he first appeals to the *Pseudo-Isidoriana*. See below § 21. notes 15, 16. Hence it is probable, as Größer, iii. ii. 1022, assumes, Rothad, who came to Rome in June 864, had brought thither the false decretals. In the year 865 Nicolaus demonstrates their validity in the following manner. Ep. ad univ. Episc. Gall. (Mansi, xv. 694): *Etsi (Rothadus Episc.) sedem apostolicam nullatenus appellasset, contra tot tamen et tanta vos decretalia efferriri statua, et Episcopum inconsutis nobis deponere nullo modo debuistis. Absit enim, ut—decretalia constituta—debito cultu et cum summa discretione non amplectamur opuscula, quae dumtaxat et antiquitus s. Romana Ecclesia conservans, nobis quoque custodienda mandavit, et penes se in suis archivis et vetustis rite monumentis recondita veneratur. Absit ut scripta eorum quoquomodo parvipendenda dicamus, quorum videmus Deo auctore s. Ecclesiam aut roseo cruore floridam, aut rorifluis sudoribus et salubribus eloquiis adornatam.—Quamquam quidam vestrum scriperunt, haud illa decretalia priscorum pontificum in toto codicis canonum corpore contineri descripta, cum ipsi,*

without any opposition being made to their authenticity,¹⁶ and

ubi suae intentioni haec suffragari conspiunt, illis indifferenter utantur, et solum nunc, ad imminutionem potestatis sedis apostolicae, et ad suorum augmentum privilegiorum, minus accepta esse perhibeant. Nam nonnulla eorum scripta penes nos habentur, quae non solum quorūcumque Romanorum Pontificum, verum etiam priorum decreta in suis causis praeferre noscuntur.—decretales epistolæ Rom. Pontificum sunt recipienda, etiamsi non sunt canonum codicis compaginatae. Hadrianus II. Ep. xxxii. ad Episc. Synodi Duziaensis (ap. Mansi, xv. 852) expressly cites, A.D. 871, Epistolam Auteri P., etc. In other points not affecting the papal dignity, the popes did not at once adopt the Pseudo-Isidorian principles. Thus not only Nicolaus I., but even Gregory VII. (Epist. lib. vii. Ep. 34), decided that priests convicted of crimes should be expelled from the clergy, though Pseudo Callistus, Ep. 2, had written: Errant itaque, qui putant sacerdotes post lapsum, si condignam egerint poenitentiam, Domino non posse ministrare. Comp. Blascus, l. c. p. 18, ss.

¹⁶ Even Hincmar did not doubt the authenticity, but the validity, of those decretals (cf. Blascus, l. c. p. 16): he appealed to them, 857, against robbers of churches (note 14), and, 868, against Charles the Bald, when the latter had summoned the younger Hincmar before a civil tribunal, and had imposed taxes on his revenues (Hincm. Ep. 29. ad Car. Calv. Opp. ad. Sirmond. ii. 223, cites Lucii Ep. and Stephani Ep. ii.). On this account the objection of Nicolaus I. held good against him in particular (note 15), that he sometimes made use of those letters, sometimes disowned them, according as they favored or not his own interest. The authority of these decretals is combated by Hincmar in regard to the rights of metropolitans, especially in his Opusc. adv. Hincmar. Laudun. A.D. 870. The Pseudo-Isidorian positions of the Capitula Angilramni, to which the younger Hincmar had appealed, are with him, c. 10, (Opp. ii. 413), circumposita nobis omnibus Metropolitanis a te muscipula. Cap. 24, p. 475: De sententiis vero, quae dicuntur ex Graecis et Latinis canonibus, et synodis Romanis atque decretis praesulum ac ducum Romanorum collectae ab Adriano Papa, et Engelramno Metensium Episcopo datae, quando pro sui negotii causa agebatur, ex quibus quaedam tuis commentis interposuisti, quam dissonae inter se habeantur—et quam diversae a sacris canonibus, et quam discrepantes in quibusdam ab ecclesiasticis judiciis habeantur—evidenter manifestatur. Proofs, that they were even opposed by Hincmar of Laon. Si vero ideo talia, quae tibi visa sunt de praefatis sententiis ac saepc memoratis epistolis, detruncando et praeposterando atque disordinando, collegisti, quia forte putasti, neminem alium easdem sententias, vel ipsas epistolæ præter te habere, et idcirco talia libere te existimasti posse colligere, res mira est, cum de ipsis sententiis plena sit ista terra, sicut et de libro collectarum epistolarum ab Isidoro, quem de Hispania allatum Riculfus Moguntinus Episcopus, in hujusmodi sicut et in capitulo regiis studiosus, obtinuit, et istas regiones ex illo repleri fecit. Cap. 25, p. 482: Animadvertenda est discretio ex verbis b. Gelasii (in the decretum de libris recipiendis et non recipiendis) inter synodalia Concilia et apostolicorum virorum epistolæ, quas ante Concilia celebrata diversis temporibus pro diversorum Patrum consolatione dederunt, quasque venerabiliter suscipiendas dicit: si qua sunt autem Concilia a sanctis Patribus instituta post quatuor Conciliorum auctoritatem, custodienda et observanda decrevit. Quantum enim distet inter illa scilicet Concilia—et illas epistolæ—nemo in dogmatibus ecclesiasticis exercitatus ignorat. Si enim quaedam ex his, quae in quibusdam illis epistolis continentur, tenere et custodiare velle incepimus, contra alia plurima illarum epistolarum facere incipiemus. Et rursus si alia, contra quae feceramus, tenere et custodiare incepimus—a Conciliis sacris, quae perpetuo nobis recipienda, tenenda, ac custodienda, atque sequenda sunt, deviabimus: sed et a consuetudine, quam catholica Ecclesia habuit, ex quo in sacrum Nicaenum Concilium patres nostri convenerunt—perniciosissime discedemus, et nihil certi tenentes in sectam Genethliacianorum, i. e., Mathematicorum offendemus, qui dissinierunt omnia in incertum. Nam et b. Gelasius easdem epistolæ non solum sacrī canonibus in quibusdam adversas, sed etiam sibi ipsis diversas ostendit cum dicit, illas diversis temporibus pro diversorum consolatione datas. Et hinc forte adversum me dices: ergo calumniaris apostolicam sedem in sanctis ejus Pontificibus, eo quod male senserint, et non tenenda decreverint. Unde tibi respondeo, quod de lege non judice servanda, contradicentibus sibi et dicentibus: lex

continued in undiminished reputation¹⁷ till the Reformation led to the detection of the cheat.¹⁸ On these false decretals were founded the pretensions of the popes¹⁹ to universal sway in the *Church* ;²⁰ while the pretended *donatio Constantini* ergo adversus promissa Dei ? (Gal. iii. 21) respondit Apostolus : Absit : lex quidem sancta, et mandatum sanctum, et justum et bonum (Rom. vii. 12), sed personis et temporibus suis congrua : quae propter transgressiones posita est, donec veniret semen (Gal. iii. 19.) Et illas epistolae sanctorum et apostolicorum virorum, diversis temporibus pro diversorum consolatione—a sede apostolica datas—venerabiliter suscipienda dico. Quae suis temporibus congruentes fuerunt, donec per sacra Concilia patres nostri in unum convenientes —suggerente sibimet sancto Spiritu—mausuras usque in finem saeculi leges condiderunt. That Hincmar suspected the spuriousness of these decretals, but said nothing on the subject, from motives of prudence, as Gfrörer, iii. ii. 1081, assumes, is in my opinion improbable ; for a combating of the authenticity could not be looked on as contempt of the holy see, but probably, if the authenticity were conceded, a denial of their validity might be so regarded.

¹⁷ Concerning those who are supposed to have doubted the authenticity of the forged decretals, in the middle ages, Petrus Comestor (1170), Marsilius Patavinus (1324), (not Wicliffe; he asserted : Decretales epistolae sunt apocryphae et seducunt a Christi fide, also apocryphae = erroneae), Gobelinus Persona (1418), Heinr. v. Kalteisen (1432, comp. however, Spittler's doubts, l. c. p. 259), Nicolaus Cusanus (1448). Erasmus, see Blascus, I. c. cap. 5, p. 30, ss.

¹⁸ Calvin Institutt. iv. c. 7, § 11, 20, the spuriousness ; the Magdeburg Centuries (centur. ii. c. 7, and cent. iii. c. 7), first gave a copious proof of it, which opinion was also adopted about the same time by Anton. Contius and Antonius Augustinus, archbp. of Tarragona see Blascus, I. c. p. 33), while the Jesuit Franc. Turrianus wrote libb. v. adv. Magdeburgenses Centuriatores pro canonibus Apostolorum et epistolis decretalibus Pontificum apostolicorum. Florent. 1572. Colon. 1573. 4. Bellarmine (de Pont. Rom. lib. ii. c. 14), and Baronius (ad ann. 865, § 8) abandoned these decretals. The question was decided by Dav. Blondelli Pseudo-Isidorus et Turrianus vapulantes. Genev. 1628. 4.

¹⁹ The Ultramontanists, though they admit the deception, deny the revolution of ecclesiastical principles caused by it. So Ballerini, I. c. P. iii. c. 6, § 3, and P. Ballerini de Potest. eccl. summ. Pontif. et Concill. generall. una cum vindiciis contra J. Febronium. Veron. 1768. Aug. Vindel. 1770; in the Vindicis, cap. 5. On the other side see Jo. Gerbasi Diss. de causis majoribus. Paris. 1679. 4. Fleury Hist. eccl. t. xvi. diss. préliminaire. Justification des discours et de l'hist. ecclés. de M. l'Abbé de Fleury. 1736. P. ii. Tübinger kath. theolog. Quartalschrift, 1823, 2tes Quart. S. 277, ff.

²⁰ Comp. Vol. I. Div. I. § 56, note 40. Above, § 5, note 18. It is found so early as in the Collectio cann. Colbertina, which is older than Pseudo-Isidore (see Coustant Diss. de Aut. canonum collectionibus no. 103). There are also obvious references to it by Hincmar, Ep. iii. c. 13 : Constantius M.—propter amorem et honorem SS. Apostolorum Petri et Pauli—locum et sedem suam, urbem scilicet Romanam, Papae Sylvestro edicto privilegii tradidit, et sedem suam in civitate sua, quae antea Byzantium vocabatur,—acdificavit. Aeneac Paris. liber adv. Graecos (A.D. 868), c. 209 (in d'Achery Spicileg. i. 147) : Singulare privilegium et mirabile testamentum toto tunc orbe vulgatum apostolicæ sedi conscribi jussit,—cujus exemplaribus Ecclesiarum in Gallia consistentium armaria ex integro potiuntur. Blascus, cap. 2, p. 13, rightly shows indeed that this act can not have originated with Pseudo-Isidore, as many suppose, but he erroneously assumes, that because it appears first in Leonis IX. Ep. ad Michael. Const. Patriarch. (a. 1054) c. 13 et 14 (ap. Mansi, xix. 643), it was forged long after Pseudo-Isidore. Worthy of notice is Ottonis III. diploma ann. 999 (see below, § 22, note 28) : Haec sunt etiam commenta ab illis ipsis inventa, quibus Joannes Diaconus, cognomento ditorum mutius (mozzo, mutilus), praeceptum aureis literis scripsit, sub titulo magni Constantini longa mendacii tempora finxit. This John is discovered, (Marqu. Freherus) Constantini donatio integre edita, 1610. 4, in

M.,²¹ a fiction of an earlier time, but soon adopted into them, was the first step from which the papacy endeavored to elevate itself even above *the state*.

the author of the life of S. Gregorii M. about 875; Jo. Morinus *Hist. de la délivrance de l'égl. chret. par l'Emp. Constantin*, Paris. 1630. fol., identifies him with Johannes Diaconus, about 963. On the other side is de Marca, lib. iii. c. 12, according to whom the original document was composed A.D. 767, at the command of Pope Paul I. Against the opinion of Baronius ann. 324, no. 117, ss., that the document was forged by Greeks, see Morinus, l. c. Comp. E. Münch über die Schenkung Constantini's, in his *vermischte Schriften*. Ludwigsburg. 1828. ii. 183). The original document was meant in part to establish an older right than the *Donatio* of Pipin and Charles, and to favor the efforts of the popes to obtain independence (see § 6); partly also to justify the views of the papal coronation of emperors which then appeared (see § 6, note 15).

²¹ There is one old Latin text of it, but four Greek texts. See F. A. Biener *de Collectionibus cann. Ecclesiae Graecae*. Berol. 1827. 8. p. 72, ss. The first alone is of historical importance, being found in the *Pseudo-Isidorian* decretals under the title of *Edictum domini Constantini Imp.*, and extracts from it in the *Decret. Gratiani*, dist. xcvi. c. 13. Among other things we read: *Et sicut nostram terrenam imperiale potentiam, sic ejus (Petri) sacrosanctum Romanam Ecclesiam decrevimus veneranter honorari, et amplius quam nostrum imperium terrenumque thronum, sedem sacratissimam b. Petri gloriose exaltari: tribuentes ei potestatem et gloriae dignitatem, atque vigorem et honorificentiam imperiale*. Therefore he gives him palatum Lateranense and all imperial insignia. *Unde ut pontificalis apex non vilescat, sed magis quam imperii dignitas, gloria et potentia decoretur, ecce tam palatum nostrum, ut praedictum est, quam Romanam urbem, et omnes Italiae, seu occidentalium regionum provincias, loca et civitates* (i. e., the western empire, as it was still limited to some provinces of Italy, in the eighth century, and was transferred to the Franks: the forger knows only of this, and puts it back in the times of Constantine) *praefato beatissimo Pontifici nostro Sylvestro, universalis Papae, contradimus atque relinquimus: et ab eo et a successoribus ejus per hanc divalem nostram, et pragmaticum constitutum decernimus disponenda, atque juri s. Romaræ Ecclesiae concedimus permansura*. *Unde congruum perspeximus nostrum imperium, et regni potesta tem in orientalibus transferri regionibus, et in Byzantinac provinciae optimo loco, nomini nostro civitatem aedicari, et nostrum illic constitui imperium: quoniam ubi principatus sacerdotum, et christianaæ religionis caput ab Imperatore caelesti constitutum est, justum non est, ut illuc Imperator terrenus habeat potestatem*. That there never was any such *donatio* was acknowledged by Otto III. in the year 999 (note 20) and in 1152 by the Romans (see below, Div. II. § 51, note 18). In the fifteenth century this was shown to be the case by Nicolaus Cusanus *de Concordantia catholica* (about 1432), and in particular by Laurentius Valla († 1457) *de Falso credita et ementa Constantini donatione declaratio* (in S. Schardii *Syntagma tractatum de imperiali jurisdictione*. Argentor. 1609. fol. p. 401), (see Münch *verm. hist. Schriften*, ii. 214). Since then the document is universally given up as spurious, but the donation itself is still defended by Baronius, and the Jesuits, Jac. Gretser, Nic. Schaten, and others, ex. gr. Blanchini *ad Anastas. de vitis Pontiff. ii. ii. 295*, and Mamachii *Antiquit. christ. ii. 232*.

§ 21.

PAPACY UNDER NICOLAUS I. (858-867), HADRIAN II. (TILL 872), AND
JOHN VIII. (TILL 882).

Planck's Gesch. der kirchl. Gesellschaftsverf. iii. 1. Neander, iv. 112. Gfrörer, iii. ii. 983

The rulers of the divided Frank empire,¹ unable to withstand the attacks of foreign enemies and the encroachments of their own nobles, were obliged, in consequence, to seek protection from the Church; and had been long since induced to invest their bishops with important rights.² How much the position of the pope, as the highest bishop, was heightened by this means, *Nicolaus I.*³ was the first fully to perceive. The success of his new pretensions and encroachments was made more certain by his appearing not only as the champion of the oppressed, and thus securing a powerful ally in public opinion, but in being also assisted by the disunion of the civil princes, who, mutually suspicious and ambitious, were ready to aid in humbling one another. The first opportunity for interference was presented to him by King *Lothar II.*, who, out of love to his mistress, Waldrade, had long treated his spouse, Teutberg, most shamefully, till he at length divorced her at a synod held at Aix-la-Chapelle (862).⁴ Charles the Bald and his bishops having sided

¹ After the death of the emperor Lothar I. († 855), his sons received: the emperor Lewis II., Italy († 875), Lothar II., Lorraine († 869), and Charles († 863), Provence, which last, however was divided, after his death, by the two older brothers. Lewis the German reigned over the East Franks († 876), and Charles the Bald over the West Franks († 877).

² For instance, bishops judges of kings; comp. § 6, notes 13, 14.

³ He was the first pope who, without doubt, allowed himself to be crowned agreeably to the *Donatio Constantini* (remarkably short is *Anastasius vita civii. Nicolai I. : Coronatur denique*), and to whom an emperor, Lewis II., performed the office of equerry (*Anastasius. l. c. : Frenum Caesar equi Pontificis suis manibus apprehendens pedestri more, quantum sagittae jactus extenditur, traxit*). A description of *Nicolaus I. ap. Regino ad ann. 868 : Post b. Gregorium usque in praesens nullus Praesul in Romana urbe pontificali honore sublimatus illi videtur aequiparandus : regibus ac tyrannis imperavit, eisque, ac si dominus orbis terrarum, auctoritate praecepsit : Episcopis et Sacerdotibus religiosis ac mandata Domini observantibus humilis, blandus, pius, mansuetus apparuit; irreligiosis et a recto tramite exorbitantibus terribilis atque austeritate plenus extitit, ut merito credatur alter Helias, Deo suscitante, nostris in temporibus resurrexisse, etsi non corpore, tamen spiritu et virtute.*

⁴ After church penance had been imposed on Teutberg, at a synod held at Aix-la-Chapelle (*Mansi, xv. 547*), the synod of 862 gave Lothar permission to marry again (*l. c. p. 611*).

with the persecuted one,⁵ Nicolaus, to whom she had long ago applied for aid,⁶ ventured to send legates to Lotharingia to examine the matter anew. But when these legates, having been bribed, confirmed the former decision at the synod of Metz (863),⁷ Nicolaus went so far as to declare this synod null; and to depose the heads of the Lorraine clergy, archbishops Gunthar of Cöln, and Thietgaud of Treves.⁸ The danger with which he was threatened from the emperor Lewis for this presumption soon passed;⁹ but Lothar submitted through fear of his uncles, who were desirous to seize on his territories.¹⁰ When afterward he endeavored to continue his illicit intercourse with Waldrade,

⁵ Hincmar, archbishop, wrote against the proceedings of the conc. Aquisgr. A.D. 860, his work de Divortio Hlotharii Regis et Teutbergae Reginae, in Opp. ed. Sirmond, i. 557.

⁶ Nic. Epist. ad Carol. Calv. 867 (Mansi, xv. 319): Cum nos ex utraque parte, i. e., tam a Teutberga quam a Lothario fuerimus provocati judices,—ad nullos alias convenit super hoc negotio judices convolare: cum secundum sacros canones a judicibus, quos communis consensus elegerit non liceat provocare.

⁷ Ann. Bertiniani (i. e., Hincmar) ad ann. 863.

⁸ Concil. Romanum ann. 863, ap. Mansi, xv. 649.

⁹ Regino ad ann. 865: Qui tam turpiter de honestati [the two archbishops] Hludovicum Imp.—adcent, qui ea tempestate Beneventanis morabatur in partibus, scriptis ac dictis vociferantes, se injuste esse depositos: ipsi Imperatori et omni s. Ecclesiae injuriam esse factam, cum numquam auditum sit, vel uspiam lectum quod ullus Metropolitanus sine conscientia Principis vel praesentia aliorum Metropolitanorum fuerit degradatus. Concerning Lothar's expedition against Rome, see especially Annal. Bertin. ad ann. 864, where, too, may be found the protest of the two archbishops laid on Peter's grave, in which they prove the invalidity of their deposition, c. 3, in this manner: Sine Synodo et canonico examine, nullo accusante, nullo testifice, nulla disputationis distinctione dirimente, vel auctoritatem probatione convincente, absque nostri oris confessione, absentibus aliis Metropolitanis et dioecesanis Coēpiscopis et confratribus nostris extra omnium omnino consensum, tuo solius arbitrio et tyrannico furore damnare nosmet voluisti. C. 4: Sed tuam malēdictam sententiam—nequaquam recipimus: immo cum omni coetu fraterno —contemnimus atque abjecimus. Te ipsum quoque—in nostram communionem nostrumque consortium recipere nolumus, contenti totius Ecclesiae communione et fraterna societate, quam tu arroganter te superexaltans despicias, teque ab ea elationis tumore indignum faciens sequestras. The conclusion in the Annal. Fuld. ad ann. 863: Scies nos non tuos esse, ut te jactas et extollis, Clericos, quos ut fratres et Coēpiscopos recognoscere, si elatio permitteret, debueras. Et haec tibi nostri ordinis non insci, nimium tua improbitate compulsi respondemus, non quasi ad illitam nobis contumeliam provocati, sed contra tuam iniquitatem ecclesiastico zelo accensi, nec nostrae vilitatis personam attendentes, sed omnem nostri ordinis universitatem, cui vim inferre conaris, prae oculis habentes.

¹⁰ Capitula quae Hlud. et Car. Reges in Tusiaco villa populo annuntiaverunt, xi. kal. Mart. 865, cap. 6. (Baluz. Capit. ii. 203). Ann. Bertini. (Hincmar) ad ann. 865. Nicolaus was the first pope who enjoyed the triumph of protecting a king. Ann. Bert. l. c. Nicolaus P. Arsenium—cum epistolis ad Hludovicum et Carolum fratres, sed et ad Episcopos ac Primores regnum illorum, ea quae Lotharius per fratrem petierat continentibus (namely, ann. Fuld.: ob pacem et concordiam inter Hlud. et Car., necnon Hlotharium nepotem eorum, renovandam atque constituendam), non cum apostolica mansuetudine, et solita honorabilitate, sicut Episcopi Romani Reges consueverant in suis epistolis honorare, sed cum malitiosa intermissione transmittit. The letters are not extant, as Pagi, ad ann. 865, no. 8, believes.

and at the same time to conciliate the pope by crouching affectations of humility,¹¹ the severity of the latter was the less blamed on account of the king's cowardly voluptuousness.¹² At the same time, Nicolaus also humbled the proud archbishop of Rheims, *Hincmar*, who had first suspended from his office (861), *Rothad*, bishop of Soissons, perhaps, without sufficient reason;¹³ and afterward, without regarding his appeal to the pope, had deposed him, at a synod held at Soissons (863).¹⁴ While the pope annulled these decisions and called Rothad to Rome (864), he appealed at first for his justification in such a course to the canons¹⁵ of Sardica, and afterward for the first

¹¹ Comp. his letter to Nicolaus ap. Baronius ad ann. 866, no. 36.

¹² Nic. Epist. ad univ. Episcopos, A.D. 863 (Mansi, xv. 649), begins: *Scelus, quod Lotharius Rex, si tamen rex veraciter dici possit, qui nullo salubri regimine corporis appetitus refrenaavit, sed lubrica enervatione magis ipsius illicitis motibus cedit, in dubius feminis, Teutberga scilicet et Waldrada, commisit, omnibus manifestum est.* He wrote to Adventius, bishop of Metz, with reference to the synod at that place (Mansi, xv. 373): *Verumtamen videte, utrum reges isti et principes, quibus vos subjectos esse dictis, veraciter reges et principes sint. Videte, si primum se bene regunt, deinde subditum populum: nam qui sibi nequam est, cui alii bonus erit? Videte si jure principantur; alioqui potius tyranni credendi sunt, quam reges habendi; quibus magis resistere, et ex adverso ascendere, quam subdi debemus.* Alioquin si talibus subditi, et non praeclati fuerimus nos, necesse est eorum vitiis faveamus. Nic. Ep. li. ad Lothar. R. (ap. Mansi, xv. 324): *Igitur consilium nostrum accipe,—praecipue Waldradae pellicis tuae et dudum a te repudiatae communionem declinans. Excommunicata est enim. Quamobrem cavendum est, ne cum ea pari mucrone percellaris sententiae, ac pro unius mulieris passione, et brevissimi temporis desiderio, vincitus et obligatus ad sulfureos foctores et ad perenne traharis exitum. Praecave—ne hoc Ecclesia sanctae dicamus, et, quod non optamus, de caetero fias cunctis sicut ethnicus et publicanus.* Such conduct, however, was entirely consistent with the prevailing principles, comp. note 2. So also *Hincmar de Divort. Hlot. et Teutb.*, to the question which had been propounded to him: *Dicunt quoque etiam aliqui sapientes quia iste princeps Rex est, et nullorum legibus vel judiciis subjacet, nisi solius Dei, qui eum—Regem constituit:—et sicut a suis Episcopis, quicquid egerit, non debet excommunicari, ita ab aliis Episcopis non potest judicari quoniam solius Dei principatui debet subjici, etc.* To this he replies: *Haec vox non est catholici Christiani, sed nimium blasphemii, et spiritu diabolico pleni.—Quod dicitur, "quia Rex nullorum legibus, vel judiciis subjacet, nisi solius Dei," verum dicitur, si Rex est, sicuti nominatur. Rex enim a regendo dicitur, et si se ipsum secundum voluntatem Dei regit, et bonos in viam rectam dirigit, malos autem de via prava ad rectam corrigit, tunc Rex est, et nullorum legibus vel judiciis nisi solius Dei subjacet—"quia lex non est posita justo sed injustis, etc. (1 Tim. i. 9)." Alioquin adulter, homicida, injustus, raptor, et aliorum vitiorum obnoxius quilibet, vel secrete vel publice, judicabitur a sacerdotibus, qui sunt throni Dei, etc.*

¹³ See Annal. Bertin. ad ann. 861. Comp. generally W. F. Gess *Merkwürdigkeiten aus d. Leben u. d. Schriften Hincmar's.* Götting. 1806. S. 233. E. Rossteuscher de Rothado Ep. Suessionensi, Part. ii. Marburgi. 1845. 8.

¹⁴ Both sides of this controversy are narrated in *Hincmar Epist. ad Nicol. I. A.D. 864*, in ejusd. Opp. ed. Sirmond, ii. 244, and *Rothadi Libellus proclamationis* in the acts of the Roman synod of 865 (Mansi, xv. 681).—As *Hincmar* had declared against the Lorrain bishops in the affair of *Lothar*, they now took the part of *Rothad*. Cf. *Epist. synod. Episcoporum regni Loth. ad Episc. regni Ludovici* (Mansi, xv. 645).

¹⁵ There was certainly a violation of these, since *Hincmar* had forthwith consecrated a

time to the Pseudo-Isidorian decretals,¹⁶ and met with the less enduring opposition in proportion as they appeared to promote the interests of the suffragan bishops.¹⁷ The Pseudo-Isidorian principle, that obedience was due to all the papal decrees as such, must have been particularly advanced by the fact,¹⁸ that Nicolaus began to have such obedience in the metropolitans bidden at their investiture with the pallium.¹⁹

But that these new papal pretensions owed much of their success to the peculiar relations of the times, and that they had obtained very little legal approbation, is clear from the fact, that immediately after Nicolaus's death,²⁰ his decrees

successor to Rothad, without regarding his appeal. See Nicolai Epist. 28 ad Hincmarum (Mansi, xv. 294), and still more fully in his Epist. ad Episcopos Synodi Silvanectensis (Mansi, xv. 302), where the constituta Sardicensis concilii, namely, c. iv. and viii., are expressly given.

¹⁶ Sermo Nic. preached on the day before Christmas, 864 (Mansi, xv. 686) :—Facto consilio generali, quod sine apostolicae sedis praecepto nulli fas est vocandi vocaverunt hunc [Rothadum] Episcopi, etc.—Quamvis et ipse sedein apostolicam si nullatenus appellasset; contra tot tamen et tanta decretalia se efferre statuta, et Episcopum inconsulte deponere, sicut vos bene nostis, non debuerunt. Comp. the Epist. ad univ. Episc. Gall. § 20, note 15; Hincmar's judgment on it in the Annal. Bertin. ad ann. 865 (Pertz Monum. i. 468): Rothadum canonice a quinque provinciarum Episcopis dejectum, et a Nicolaio Papa non regulariter sed potentialiter restitutum, etc.

¹⁷ To this Nicholas himself adverts as early as 863 in Epist. xxxii. ad Episc. Synod. Silvanectensis (Mansi, xv. 305): Privilegia sedis apostolicae tegmina sunt, ut ita dicamus, totius Ecclesiae catholicae; privilegia, inquam, hujus Ecclesiae munimina sunt circa omnes impetus pravitatum. Nam quod Rothado hodie contigit, unde scitis, quod cras cuiilibet non eveniat vestrum?—Quod si contingit,—ad cujus, rogo, confugietis auxilium? Hence the Synod of Troyes, 867, wrote on another occasion, Ep. conc. Tricassini ad Nic. P. I. (Mansi, xv. 795): Exoramus magnificam beatitudinem, ut—more b. praedecessorum vestrorum, quae de statu sacri pontificalis ordinis ab eis statuta—sunt, ut immota de caetero maneant, mucrone apostolico quorumque Metropolitanorum temeraria presumptione suppressa, quin etiam reliquorum Episcoporum—audaci conniventia penitus summota, privilegia et decreta servari innovata constitutione decernatis: ita ut nec vestris nec futuris temporibus, praeter consultum Rom. Pontificis de gradu suo quilibet Episcoporum dejiciatur, sicut corundem ss. antecessorum multiplicibus decretis et numerosis priviliis stabilitum modis mirificis extat.

¹⁸ Nicol. I. Ep. ad univ. Episc. Gall. A.D. 865 (above, § 20, note 15): Decretales epistolae Rom. Pontificum sunt recipienda, etiamsi non sunt canonum codici compaginatae.

¹⁹ The first case is that of Anschar. He had before received the Pallium as archbishop of Hamburg, 835, from Gregory IV., without any such condition annexed (St. Anschar by Kruse, p. 277); but when Nicolaus I. confirmed the junction of the two dioceses of Hamburg and Bremen, and sent a new pallium to Anschar (864), he announced to him, at the same time, in the deed issued respecting it (Staphorst's Hamburg. Kirchengesch. i. 41. Hartzheim Conc. Germ. ii. 172): Porro te (Anscharium) pallio uti nonnisi more sedis concedimus apostolicae, scil. ut successores tui per semetipsos, vel per legatos suos et scriptum fidem nobiscum tenere, ac sanctas sex synodos recipere, atque decreta omnium Romanae sedis Praesulum et epistololas, quae sibi delatae fuerint, venerabiliter observare atque perficere omnibus diebus suis scripto se et juramento profiteantur.

²⁰ Anastasius, librarian of the Roman Church, writes, in the letter in which he mentions the death of Nicolaus to Ado, archbishop of Vienne (Mansi, xv. 453): Verum nunc con-

were very much endangered, and that his successor, *Hadrian II.*, who proceeded completely in the same spirit, met with much less success. After the death of Lothar II. (869), *Charles the Bald* having conquered Lorraine and divided it with Lewis of Germany (870), the pope sought to defend the rights of the lawful heir, the emperor Lewis II. with spiritual weapons;²¹ but was insultingly repulsed, especially by Hincmar.²² When afterward he sought to interfere with the measures of Charles

gregatio omnis, quos ille vel pro diverso adulterii genere, vel pro aliis criminibus redarguit, ad hoc exarserunt, ut universa ejus opera destruere, et cuncta scripta delere meditari non metuant. And in the Embolo: Adjuro autem, ut omnibus Metropolitis Galliarum intimatis, ne, si hic factum fuerit concilium, sic quasi recuperationem sui status assequantur, ut in derogationem defuncti praesulsi prosiliant.

²¹ Hadr. Ep. 19, ad Proceres regni Lotharii (Mansi, xv. 838): Quem ex vobis—apostolicae sedis monitis in contemptum b. Petri Apostoli, caelestis regni clavigeri, spretis, ad aliam se partem conferre cognoverimus, velut infidelem et ecclesiasticae paci ac saluti contrarium, a nostri apostolatus communione non solum alienum habebimus, sed etiam anathematis vinculo jure meritoque alligare omnino curabimus: et nos secundum apostolicae privilegium dignitatis et potestatis ipsum—domnum Hludovicum—regni hujus provinciae—Regem, dominum et Imperatorem, sicuti jam olim a Deo praecordinatum esse constat, et ab antecessoribus nostris Pontificibus statutum multis videtur indicis habemus et quosque superfuerit ipse eum habere studebimus. Quod sane regnum si tyrannus aliquis contra divinam et apostolicam voluntatem invadere prae sumiserit, apostolicae sine mora sustinebit ultionis censuram. So, too, the letters to Proceres and ad Episcopos regni Caroli Calvi, ad Hincmarum, ad Car. Calv., and Ludov. Reg. Epist. 20–28. Comp. generally Gess Merkwürdigk. Hincmar's, S. 331.

²² Hincm. Ep. ad Hadr. A.D. 870 (Opp. ed. Sirm. ii. 689. Bouquet, vii. 537). He puts the answers to the assumptions of the pope into the mouth of others: Dicunt saecularem scripturam dicere, quia omne regnum saeculi hujus bellis quaeritur, victoris propagatur, et non Apostolici vel Episcoporum excommunicationibus obtinetur, et Scripturam divinam proponunt dicere, quia Domini est regnum, per quem Reges regnant, et cui voluerit dat illud. Et cum potestatem a Christo S. Petro primo Apostolorum, et in eo suis successoribus datam, sed et Apostolis, et in eis, Episcopus pontificium ligandi et solvendi collatum illis insinuare volumus, respondent: "Et vos ergo solis orationibus vestris regnum contra Normannos et alios impetentes defendite, et nostram defensionem nolite quaerere: et si vultis ad defensionem habere nostrum auxilium, sicut volumus de vestris orationibus habere adjutorium, nolite quaerere nostrum dispendium, et petite dominum Apostolicum, ut, quia Rex et Episcopus simul esse non potest, et sui antecessores ecclesiasticum ordinem, quod suum est, et non rem publicam, quod Regum est, disponuerunt, non praecipiat nobis habere Regem, qui nos in sic longinquis partibus adjuvare non possit contra subitanos et frequentes paganorum impetus, et nos Francos non jubeat servire, cui nolumus servire: quia istud jugum sui antecessores nostris antecessoribus non imposuerunt, et nos illud portare non possumus, qui scriptum esse in sacris libris audimus, ut pro libertate et hereditate nostra usque ad mortem certare debeamus. Et si aliquis Episcopus aliquem Christianum contra legem excommunicat, sibi potestatem ligandi tollit; et nulli vitam aeternam potest tollere, si sua peccata illi eam non tollunt. Et non convenit ulli Episcopo dicere, ut Christianum, qui non est incorrigibilis non propter propria crimina, sed pro terreno regno ulicui tollendo vel acquirendo, nomine Christianitatis debeat privare, et eum cum Diabolo collare—Propterea si dominus Apostolicus vult pacem quaerere, sic pacem quaerat, ut rixam non moveat: quia non nos concredemus, ut aliter ad regnum Dei pervenire non possimus, si illum, quem ipse commendat, terrenum Regem non habauerimus."

the Bald against his rebellious son Carlmann,²³ his presumptuous letter remained disregarded. And finally, *Hincmar*, bishop of Laon, having been deposed by the synod of *Duziacum* (871)²⁴ for disobedience to his king and to his metropolitan and uncle *Hinemar* of Rheims,²⁵ the pope, to whom he had appealed, undertook to interfere in his favor, as *Nicolaus I.*²⁶ had done in the case of *Rothad*; but in this new contest in favor of the *Pseudo-Isidorian* principles he was so unexpectedly repulsed,²⁷ that he

²³ Respecting the history, see *Hincmar* in the *Annal. Bertin.* ad ann. 870, 873, and *Ep. ad Episc. prov. Lugdun.* A.D. 871 (Opp. ii. 353, complete in *de la Lande Suppl. concill. ant. Gall.* Par. 1660, fol. p. 204). *Hadr. Ep. xxix.* ad *Carol. Calv.* A.D. 871 (*Mansi*, xvi. 850): *Inter caetera excessum tuorum, quibus aliena usurpando invasisse crederis, illud, quoque nihilominus objicitur, quod etiam bestiarum feritatem excedens, contra propriis viscera, i.e., contra Carolomanum genitum tuum saevire minime verearis, etc.* In the same tone, *Ep. xxx. ad Proceres*, and *Ep. xxxi. ad Episc. regni Car.*

²⁴ Comp. *Annal. Bertin.* ad ann. 868 et 869. The earlier writers concerning this affair, see in *Hincmar's Opp. ii.* 316-352, in particular, *Hincm. Rhem. Opusculum lv. capitulorum adv. Hincm. Laudun.* A.D. 870. Opp. ii. 377. *Gess Merkwürdigk.* S. 271.

²⁵ *Acta conc. Duziacensis prim.* ed *Lud. Cellot.* Par. 1658. 4. ap. *Mansi*, xvi. 569, ss. In the *Ep. synod. ad Hadr. P.* (p. 680), it is said: *Et si forte, quod non putamus, visum vobis necessario fuerit, ut secundum Sardicenses canones renovetis judicium, et detis judices, scribendo Episcopis, qui in finitimis et viciniis provinciis sunt, ut et ipsi diligenter omnino requirant, et juxta fidem veritatis definiant: vel, si decreveritis mittere a latere vestro habentes auctoritatem vestram, qui cum Episcopis judicent, eo in gradu adhuc non restituto, sicut sacri Sardicensis canones praecipiunt; non abnuimus.* Verumtamen quanta possimus devotionis humilitate depositimus, ut etiam in hac causa nobis canonica definitionem servetis. *Videlicet ut si, quod non credimus, et quae regulariter definivimus, —vobis praesentialiter non placuerit vestra sententia roborare, non antea communioni sacerdotali, a qua separatus est, restituatur, antequam secundum regulas et leges in provincia, in qua causae gestae et judicatae sunt, requirantur.* Quia usque ad nostra tempora nulla Patrum definitione hoc Ecclesiis Gallicanis et Belgicis est derogatum: *praesertim quia decreta Nicaena, sive inferioris gradus clericos, sive Episcopos ipsos, ut Africanum scribit concilium, suis Metropolitanis aptissime commiserunt.* Comparison with the *Ep. conc. Tric.* above, note 17, shows how circumstances threw the chief influence at councils sometimes into the hands of the metropolitan, sometimes into the hands of the suffragans.

²⁶ *Hadr. Ep. xxxii. ad Episc. Syn. Duziacensis* (*Mansi*, xv. 852) and *Ep. xxxiii. ad Carol. Calv.* (p. 855). In the latter he says: *Jubemus ipsum Hincm. Laud. Episc., vestra fretum potentia, ad limina SS. Apostolorum, nostramque venire praesentiam.* Quo sane veniente, veniat pariter accusator idoneus, qui nulla possit auctoritate legitima respui. Nos in depositione *Hincmari*, quamdui vivimus, nullatenus consentiemus, nisi, ad nostram ipso veniente praesentiam, causa ejus depositionis nostro fuerit examine diligenter inquisita atque finita. *Quibus nimur admonitis, aliter in praesenti de predicto Hincmario, nisi eum Romam veniendo, vobis mandare distulinus.*

²⁷ *Car. C. Ep. ad. Hadr. II.*, composed by *Hincmar* (in *Hincmar. Opp. ii.* 701, and ap. *Bouquet*, vii. 542): *Cogitis nos, indecentibus potestati regiae literis vestris inhonoratum, inconvenientibus episcopali modestiae vestrae mandatus gravatum, contumelii et opprobrii dehonestatum, aliter quam vellemus mente pacifica vobis rescribere: ut tandem animadvertis, quamquam perturbationibus humanis obnoxium, in imagine tamen Dei ambulantem esse nos hominem, habere sensum paterna et avita successione Dei gratia, regio nomine ac culmine sublimatum, et quod his majus est. Christianum, Catholicum, fidei orthodoxae cultorem.* Valde mirati sumus, ubi hoc dictator epistolae—scriptum invenerit esse apostolica auctoritate praecipiendum, ut *Rex, corrector iniquorum, et*

found it expedient to make every effort in his power to pacify the enraged king.²⁸

On the other hand, *John VIII.* enjoyed the triumph of having plainly dared to affirm the pope's right to bestow the imperial crown, after he had crowned as emperor Charles the Bald, subsequently to the death of Lewis II. († 875), notwithstanding the opposition of Lewis of Germany.²⁹ The new emperor, too,

districtor reorum, ac secundum leges ecclesiasticas atq[ue] mundanas ultor criminum, reum legaliter ac regulariter p[ro]o excessibus suit damnatum, sua fretum potentia, Romanam dirigat: maxime autem illum, qui et ante depositionem contra custodiam publicam et contra quietem moliri in tribus synodis extitit deprehensus—et post depositionem suam—a sua pervicacia non quievit. Reges Francorum ex regio genere nati, non Episcoporum vice-domini, sed terrae domini hactenus suimus computati: et ut Leo ac Romana Synodus scripsit: “Reges et Imperatores, quos terris divina potentia, praecepit præcesse, jus distinguendorum negotiorum Episcopis sanctis juxta divalia constituta permisurunt;” non autem Episcoporum villici extiterunt. Et si revolveritis regesta decessorum ac praedecessorum vestrorum, talia mandata, sicut habentur in literis ex nomine vestro nobis directis—decessores nostros a decessoribus vestr[is] accepisse nullatenus invenietis—iterato scribimus—deprecantes vos—ut tales inhonorationis nostrae epistolas, taliaque mandata, sicut hactenus ex nomine vestro suscepimus, nobis et regni nostri Episcopis ac Primoribus de cetero non mandetis, et non compellatis nos mandata et epistolas vestr[as] inhonorandas contemnere, et missos vestros dehonorare, qui vobis in his, quae ad vestr[um] ministerium pertinent (si tamen ministerium vestr[um]) cupimus obtenerare.

²⁸ Hadr. Ep. xxxiv. ad Car. C. (Mansi, xv. 857):—Et quidem quia quasi tumores et laesiones vestr[as] palpitare sensimus, has oleo consolationis per melos dulcissimae caritatis, et sanctae dilectionis unguentum fovere, lenire, et ad integratatis sanitatem perducere medicamento, quo valemus, optamus. Praedicatur enim de te, et longe lateque diffunditur, quod sis sapiens et Deum timens—quod sis justus—quod sis amator, exaltator et illustrator specialis in orbe terrarum et per maximus Ecclesiarum Dei, etc.—vobis confitemur devovo, et notescimus affirmando, salva fidelitate Imperatoris nostri, quia, si superstes ei fuerit vestra nobilitas, vita nobis comite, si dederit nobis quis libet multorum modiorum auri cumulum nunquam acquiescemus, exposcemos, aut sponte suscipiemus alium in regnum et imperium Romanum, nisi te ipsum. He even yielded the disputed point. Hincmar of Laon, it is true, was still ordered to come to Rome to see whether he persisted in his innocence: Tunc electis judicibus, non tamen eo prius in gradu restituto, aut ex latere nostro directis legatis, cum auctoritate nostra refricentur quae gesta sunt, et negotia in qua orta sunt provincia canonice terminentur. Entirely according to the first proposition. But even this did not take place. Johannes VIII. Ep. 314, ad Hinem. Rhem. (Mansi, xvii. 226) A.D. 876, confirmed the decision: Agnovimus justum fuisse omnino iudicium. Neque enim tantus princeps, nisi veritate fultum quidquam poterat affirmare. Unde nefas esse duximus ejus relationi non praebere incunctanter auditum. Hincmar of Laon was kept in prison and even blinded. See Reclamatio Hinem. in Actis conc. Tricasini, A.D. 878 (Mansi, xvii. 352), and at this council, Pope John VIII., merely out of pity for him, permitted ut Hinem. caecus, si vellet, missam cantaret, et partem de rebus episcopii Laudunensis haberet, see Annal. Bertin. ad ann. 878.

²⁹ Joh. VIII. Epist. 315, ad Episcop. regni Ludov., A.D. 876, (Mansi, xvii. 227): Imperium, quod Carolo constat non humano collatum beneficio, licet per nostra[re] mediocritatis ministerium, sed divino. [Deus] per apostolicac sedis privilegium, cunctorum favoribus approbatum sceptris imperialibus sublimavit. Reproaches that they had not prevented Lewis from invading Charles' realms: Ubi est, q[ui] es sumus, quod vicem Christi in Ecclesia fungimur, si pro Christo contra insolentiam principum non luctamur; praesertim cum secundum Apostolum non sit nobis collectatio adversus carnem et sanguinem, sed adversus principes

proved his gratitude by many regulations in favor of the Roman see and church.³⁰ He even appointed *Ansegisus*, archbishop of

et potestates (Eph. vi. 12!!) Eiusd. Epist. 316, ad Comites in regno Ludov. (ib. p. 230). Synodus apud Ticinum ad Carol. Imp. A.D. 876 (ib. p. 310): Jam quia divina pietas vos, bb. Principum Apostolorum Petri et Pauli interventione, per vicarium ipsorum, dominum videlicet Joannem summum Pontificem et universalem Papam, spiritalemque patrem vestrum—ad imperiale culmen S. Spiritus judicio provexit: nos unanimiter vos protecem, dominum ac defensorem omnium nostrum eligimus.

³⁰ At the Conventus Ticinensis, in the year 876 (Pertz, iii. 530), Charles ordains, c. 1: Ut s. Rom. Ecclesia, sicut est caput omnium Ecclesiarum, ita ab omnibus honoretur et veneretur; neque quisquam contra jus et potestatem ipsius aliquid injuste agere praesumat: sed licet ei debitum tenere vigorem, et pro universalis Ecclesia pastoralem exhibere curam. C. 2: Ut honor domino et spiritali patri nostro Johanni, summo Pontifici et universalis Papae ab omnibus conservetur; et quae secundum sacram ministerium suum auctoritate apostolica decreverit, cum summa veneratione ab omnibus suscipiantur, et debita illi obedientia in omnibus conservetur. Then, c. 4, ecclesiasticus honor, et sacerdotalis atque clericalis reverentia; and, finally, c. 5, imperialis honor, are inculcated. At the Conventus Carisiacensis, A.D. 877 (Pertz, iii. 541), the emperor took under his protection the honors and rights of the Church of his country. Thus even the pope, relying on the emperor, could advance with new ecclesiastical arrangements. He commanded in Synodo Ravenn. ann. 877, c. 1 (Mansi, xvii. 337): Quisquis Metropolitanus intra tres menses consecrationis suae ad fidem suam expoundam palliumque suscipiendum ab apostolica sede—non miscerit, commissa sibi caret dignitate. Cap. 4: Nulli Ducum licet quemlibet Episcopum in praesentiam Romani praesulis introducere (this might have taken place with reference to the laws of Gratian. See Vol. I. Div. II, § 94, note 12, and Valentinian iii. ibid. note 66), vel census ab eo, sumtus publicos, et dona qualibet exigere: sed nec coram laicis Episcopum objurgare concedimus. Clericos et sanctimoniales, pupilos et viduas sub tutela Episcoporum esse decernimus, et eos ad saecularia trahi modis omnibus interdicimus. Quemlibet autem Ducum vel alium contra haec agentem excommunicandem esse decernimus, perseverantem vero anathematis vinculo innodandum. Hence the superabundant praise which the pope in Synodo Romana, ann. 877 (Baluz. Capit. ii. 251) pronounces on this emperor: Carolus—Imperator,—tanquam splendidissimum astrum ab arce polorum illuxit, non solum monumenta progenitorum—aequiperavit, verum etiam omne prorsus avitum studium vicit, et universum paternum certamen in causa religionis atque justitiae superavit. Quapropter et nos—non immerito intelleximus, istum esse proculdubio, qui a Deo constitutus esset salvator mundi. Et quia pridem apostolicae memoriae decessori nostro Papae Nicolao id ipsum jam inspiratione caelesti, revelatum esse compernerimus. Oligimus hunc merito et approbavimus una cum annisu et voto omnium fratrum et Coepiscoporum nostrorum,—amplique Senatus totiusque Romani populi gentisque togatae, et secundum priscam consuetudinem solemniter ad Imperii Romani sceptra proveximus, et augustali nomine decoravimus. That Charles gained over the pope and the Romans by rich presents, see proved in Annal. Fuldensis, ann. 875 (Pertz, i. 389): Omnem Senatum populi Romani pecunia more Jugurthino corrupti sibique sociavit; ita ut etiam Johannes Papa—eum Imperatorem et Augustum appellare praecepsisset. Hinemari Annales, ad ann. 876 (Pertz, i. 498): B. Petro multa et pretiosa munera offerens in Imperatorem unctus et coronatus est. But yet the appendix to Eutropius, who belongs to the first half of the tenth century, is very exaggerated (see Wilman's Jahrb. d. deutschen Reichs unter Otto III. S. 235) ap. Pertz, v. 722: Qui veniens Romam, renovavit pactum cum Romanis, perdonans illis iura et consuetudines illius. Patrias autem Samniae et Calabriae simul cum omnibus civitatibus Beneventi eis contulit, insuper ad decorum regni totum ducatum Spoletiuum cum duabus civitatibus Tusciae,—i. e., Aricium et Clusium, quatenus ut is, qui praerat regia vice ante, Romanis videretur post esse subjectus. Removit etiam ab eis regias legationes, assiduitatem vel praesentiam apostolicae electionis, Quid plura? cuncta illis contulit, quae voluerunt, quaemadmodum dantur illa, quae nec

Sens, Pseudo-Isidorian primate of the Gallican and German church,³¹ against the opposition of his bishops; but was not able to give steadfastness to this new institute, since he died soon after († 877). Still, however, even Charles the Bald did not think of conceding to the pope a Pseudo-Isidorian subjection of the Frank church.³²

recte adquiruntur nec possessura sperantur. Ab illo autem die honorificas consuetudines regiae dignitatis nemo Imperatorum, nemo Regum acquisivit. Comp. Gfrörer, iii. ii. 1096. In the wild times of the tenth century, the Romans may have reconveyed to Charles the Bald the rights which they appropriated to themselves.

³¹ At the conc. Pontigonense (876) Capitul. Caroli Calvi, tit. xlvi. c. 7. Hincmari tract. ad Episcopos de jure Metropolitanorum, cum de primatu Ansegisi ageretur (Opp. ed. Sirm. ii. 719), especially Hincmari Annales (Ann. Bertin.) ad ann. 876: The new primate was empowered, ut, quoties utilitas ecclesiastica dictaverit, sive in evocanda synodo, sive in aliis negotiis exercendis per Gallias et per Germanias apostolica vice fruatur, et decreta sedis apostolicae per ipsum Episcopos manifesta efficiantur: et rursus quae gesta fuerint, ejus relatione, si necesse fuerit, apostolicae sedi pandantur, et majora negotia ac difficiliora quaque suggestione ipsius a sede apostolica disponenda et enucleanda quaerantur (word for word from the Epist. Joh. P. ad. Episc. Galliae et Germ. in Sirmontii Concil. Gall. iii. 422, ap. Bouquet, vii. 459). The French bishops merely declared, ut servato singulis Metropolitanis jure privilegii secundum sacros canones—domini Joannis Papae apostolici iussionibus obedirent. Et cum Imp. ut legati apostolici satagerent, ut absolute Archiepiscopi responderent, se obedituros de primatu Ansegisi, sicut Apostolicus scripsit, aliud, nisi quod praedictum est, responsum ab eis extorquere non potuerunt. In the seventh session the matter was taken up again; but the bishops declared:—quod veluti sui antecessores illius [Johannis] antecessoribus regulariter obedierunt, ita ejus decretis vellent obedire. Cf. Marca de Conc. Sac. et Imp. lib. iv. c. 5, § 5, lib. vi. c. 29, § 5. Ejusd. Diss. de Primatibus, § 56.

³² Caroli Calvi de Presbyteris ex criminibus diffamatis ad Joannem P. ann. 876 (Hincmari Opp. ii. 768, and in Goldasti Collectio constitut. imperialium, ii. 34). Cap. 2: Cum non longe ante hos annos nepos noster Hludovicus Italiae Imperator instinctu quorundam contra nos se commovit, missae sunt nobis epistolae, quasi ex apostolicac hujus sedis auctoritate ac nomine, quas tenoris inconvenientia hanc sanctam et discretissimam sedem non misisse ostendit. Cap. 3: Et quoniam pravis saepius prava quam recta innotesci solent, nacta hinc occasione transalpinarum regionum Presbyteri, a suis Episcopis de certis criminibus regulariter ab ordine sacerdotali dejecti, et poenitentiae subacti, sine licentia et conscientia Primum et Episcoporum suorum huc venire, et hinc epistolae, quae regulis non convenient, referre coeperunt. Quas non iussione apostolica, sed—quorumque ministrorum quasi pia miseratione factas, et nos, et illius regionis putant Episcopi. Therefore he wishes to lay before the pope the fundamental principles of the transalpine churches on this point. There are those of the Nicene, Sardican, and African synods, whose canons are adduced in full. Namely, cap. 7: Episcopum judicari debere a suis judicibus Episcopis. Then cap. 8, can. Sardic. 7, respecting the appeal to Rome at that time allowable. On the other hand, cap. 13: Sacrae leges ac regulae Presbyteros et caeteros inferioris gradus clericos non alibi, quam ad suos Episcopos praecipiunt accusari: then according to can. Sardic. 17, the appeal to finitimos Episcopos is still open to them. Cap. 18: A judicibus autem, sive quos juxta Africanos canones Primates dederint, sive quos ipsi vicinos ex consentu delegerint causa finienda, regulariter provocari non potest. These are the principles of the transalpine church, without which all discipline would come to nothing. For else (c. 19) faciet licenter quisque Presbyterorum quodlibet. Unde si fuerit redargutus, veniat Romam. Cap. 22: Legimus etiam quamvis rarissime praecemptum a sede apostolica, quosdam de longinquioribus parochiis specialis dioceses Romanii Pontificis—propter contumaces contentiones aliquos invitatos fuisse: sed de trans-

§ 22.

PAPACY IN THE STORMY TIMES TILL THE SYNOD OF SUTRI (1046).

V. E. Löscher's Historie des röm. Hurenregiments, Leipzig. 1707. 4. (2d edition with the title die Historie der mittlern Zeiten als ein Licht aus der Finsterniss. 1725. 4.) Gfrörer's K. G. iii. iii. 1133. On the chronology of the popes from 885–972, see R. A. Koepke de Vita et scriptis Liudprandi. Berol. 842. 8. p. 155.

From the time that the Italian nobles, whose power gradually increased under the last Carlovingians after the deposal of Charles the Stout (887), had become entirely independent, the popes¹ were also involved in the wild strife of parties which now began in Italy.² They were obliged, as creatures of the reigning party, to give their spiritual sanction to its objects, but were by this means involved in all its fortunes, and were therefore frequently compelled to end their career by a violent death or in prison.

When the dukes Guido of Spoleto, and Berengarius of Friaul, strove for the Italian crown, *Stephen V.*³ favored the former, and crowned him emperor (891). It is true that *Formosus* sum-

alpinis regionibus—tale quid pro Presbyterorum et Diaconorum appellatione a sede apostolica praeceptum fuisse non legimus, etc.

¹ Martin II. (properly Marinus) from 882–884, Hadrian III. † 885, Stephanus V. (VI.) † 891, Formosus † 896, Bonifacius VI. only 15 days, Stephanus VI. (VII.) strangled 897, Romanus only 4 months, Theodore II. only 20 days, John IX. † 900, Benedict IV. † 903, Leo V. after one month banished by his successor, Christophorus, likewise banished after 7 months, Sergius III. from 904–911.

² At first there was a struggle between a Frank and a national party, in which the latter, even at the time of Charles the Stout, endeavored to make the choice of a pope independent of the emperors. Thus it chose, 885, Stephen V. See Annal. Fuldensis ad h. a. (Pertz, i. 402): Unde Imperator iratus, quod eo inconsulto illum ordinare praesum serunt, misit Liutwartum et quosdam Romanae sedis Episcopos, qui eum deponerent: quod perficere minime potuerunt. When Martinus Polonus (1277) ad ann. 884, says of Hadrian III.: Hic constituit ut Imperator non intromitteret se de electione, what some later writers have followed him in (see on the opposite side Muratori Annali d'Italia, v. 148), and when Sigonius de Regno Ital. lib. v. even ascribes to him the constitution, ut moriente rege Crasso sine filii, regnum Italicas principibus una cum titulo Imperii traduceretur; they rightly designate the strivings of the national party, which, however, have hardly found a formal expression in papal decrees.

³ In what manner the popes, even at this time, when they were at Rome the playthings of parties, established their claims externally, is shown by the regulation Stephani V. ap. Gratian. P. i. dist. xix. c. 4: *Enimvero, quia in speculum et exemplum s. Romana Ecclesia, cui nos Christus praeesse voluit, proposita est, ab omnibus quicquid statuit, quicquid ordinat, perpetuo et irrefragabiliter observandum est.*

moned the German king, Arnulf (894)⁴ against Guido's son the emperor Lambert: but after Arnulf's departure, Lambert was again recognized, and Formosus, even in the grave, was blamed by *Stephen VI.*⁵ After Lambert's death († 898)⁶ Berengar renewed his attempts, and having defeated Lewis, king of Provence, whom the Spoletan party had put up against him, and who had even been crowned emperor (901) by *Benedict IV.*, was at length successful in becoming king of Italy, and was crowned emperor by *John X.* (915).

In the mean time, a party led by Adelbert Margrave of Tuscany and by the notorious Theodora with her two daughters, Marozia and Theodora, were endeavoring to obtain dominion over Rome. The decided ascendancy of this party began with the elevation of the vile *Sergius III.* to the papal see (904). The succeeding popes were nominated by it.⁷ *John X.*, elevated by his relation to Theodora (914)⁸ was murdered, when he betrayed

⁴ Oath which the Romans took to Arnulf at the imperial coronation, in the Annal. Berlin. and Fuldens. ad ann. 896: *Juro per haec omnia Dei mysteria, quod salvo honore et lege mea atque fidelitate domini Formosi P. fidelis sum et ero omnibus diebus vitae meae Arnolfo Imperatori, etc.*

⁵ Concerning the Conc. Rom. held against Formosus, 897, see especially the contemporaries Auxilius de Ordinationibus Formosi P. libb. ii. (in Bibl. PP. Lugd. xvii. 1, and ap. J. Morinus de Sacris Ecclesiae ordinationibus, p. 282), and super Causa et Negotio Form. P. (in Mabillonii Analectis, p. 28). Farther, an unknown individual's *Invectiva in Romanum pro Formoso Papa* (in Anastas. de vitis Rom. Pont. ed. Blanchini, iv. lxx.) and Syn. Rom. A.D. 898 (not 904, ap. Mansi, xviii. 221), where John IX. cashiered the acts of that Synod.

⁶ To this Italian emperor a co-operation in the choice of a pope had been formally conceded by John IX., in order to check the usurpations of the Roman nobles. Syn. Rom. ann. 898, c. 10 (Mansi, xviii. 225. Pertz, iv. ii. 158): *Quia s. Romana Ecclesia, cui Deo auctore praesidemus, plurimas patitur violentias Pontifice obeunte, quae ob hoc inferuntur, quis absque Imperatoris notitia, et suorum legatorum praesentia Pontificis fit consecratio, nec canonico ritu et consuetudine ab Imperatore directi intersunt nuntii, qui violentiam et scandala in ejus consecratione non permittant fieri: volumus, id ut deinceps abdicetur, et constituendus Pontifex convenientibus Episcopis et universo clero eligatur, expetente senata et populo, qui ordinandus est, et sic in conspicuто omnium celeberrime electus ab omnibus, praesentibus legatis imperialibus, consecretur. Nullusque sine periculo jurementum vel promissiones nova adinvitione ab eo audeat extorquere, nisi quae antiqua exigit consuetudo, ne Ecclesia scandalizetur, vel Imperatoris honorificentia minuatur.*

⁷ Anastasius III. † 913, Landus † 914, John X. murdered in prison 928, Leo VI. † 929, Stephen VII. (VIII.) † 931, John XI. † 936, Leo VII. † 939, Stephen VIII. (IX.) † 942, Martin III. (Marinus II.) † 946, Agapetus II. † 956, John XII. deposed 963.

⁸ Luitprandi Antapodosis, ii. 48 (Pertz, v. 297): *Theodora scortum impudens, hujus Alberici, qui nuper hominum exiit, avia (quod dictu etiam foedissimum est), Romanae civitatis non inviriliter monarchiam obtinebat. Quae duas habuit natas, Marotiam atque Theodoram, sibi non solum coaequales, verum etiam Veneris exercitio promptiores. Haec Marotia ex Papa Sergio—Joannem, qui post Joannis Ravennatis obitum Rom. Ecclesiae obtinuit dignitatem, nefario genuit adulterio: ex Alberico autem Marchione Alber-*

symptoms of a disposition to act independently (928).⁹ Soon after, *Marozia's* son, *John XI.*¹⁰ (931), was made pope; and her second son, *Alberich*, possessed himself of the chief power of Rome¹¹ as patricius and senator (932–954). The latter's son *Octavianus*, not content with succeeding to his father's power, assumed the papal dignity also as *John XII.* (956) which he disgraced by the most shameful excesses.¹² In an evil hour for himself, he summoned the German king Otto I. to protect him against the oppressions of Berengar II., king of Italy (960), and crowned him emperor (962);¹³ for when he acted treacher-

cum, qui nostro post tempore ejusdem Romanae urbis principatum sibi usurpavit. (Petrus Ravennatis sedis Archiepiscopus) dum subjectionis officio debitae Joannem Papam, qui suae minister Ecclesiae tunc temporis habebatur, Romanam saepius et iterum domino dirigeret Apostolico: Theodora—meretrix satis impudentissima, Veneris calore succensa, in hujus specie decorem vehementer exarsit; secumque hunc scortari non solum voluit, verum etiam atque etiam post compulit. Haec dum impudentur aguntur, Bononiensis Episcopus moritur, et Joannes iste loco ejus eligitur. Paulo post ante hujus diem consecrationis nominatus Ravennas Archipraesul mortem obiit, locumque ejus Johannes hic, Theodorae instinctu—sibi usurpavit. Romanum quippe adveniens mox Ravennatis Ecclesiae ordinatur Episcopus. Modica vero temporis intercapedine, Deo vocante, qui cum iniuste ordinaverat Papa defunctus est. Theodorae autem Glycerii mens perversa, ne amasii CC. milliarium interpositione, quibus Ravenna sequestratur a Roma, rarissimo concubitu potiretur, Ravennatis hunc sedis archiepiscopum coegerit deserere, Romanumque (proh nefas!) summum pontificium usurpare. On Luitprand's credibility in this passage, see Martini's (cited before, § 2) Abhandl. S. 54, ff. John's campaign against the Saracen fort at Fl. Garigliano (916). Luitpr. ii. 14. Martini, S. 24.. Schlosser's Weltgesch. ii. i. 595.

⁹ Luitpr. iii. 43 (Pertz, v. 312). Martini, S. 27.

¹⁰ According to Luitprand (note 8), son of Pope Sergius and Marozia. Leo of Ostia (about 1100) according to whom Albericus Rom. Consul was the father, can not disprove this account, since he (as well as Schlosser, ii. ii. 201) confounds John XI. with John XII. See Martini, p. 53.

¹¹ Luitpr. iii. 44. Martini, S. 27. Schlosser, ii. ii. 164.

¹² Concerning him, Luitpr. de Rebus gestis Ottonis (Pertz, v. 340). Martini, p. 68, shows that there is no ground for questioning the authenticity of the last chapters of Luitprand, as had been frequently done, after Baronius ad. ann. 963, no. 2, ss. His manners, c. 4: Joannes P. his omnibus (moribus et legibus) adversatur. Non clam est populo, quod fatemur. Testis est Rainerii, sui ipsius militis, vidua, quam caeco captus igne, multis praefectam urbibus, sacrosanctis b. Petri donavit aureis crucibus atque calicibus. Testis est Stephana, ejus amita, quae in effusione, quod ex eo conceperat, recens hominem exivit. Quod se cuncta taceant, Lateranense palatium, Sanctorum quondam hospitium, nunc prostibulum meretricum, non silebit, amitam conjugem, Stephaniae alterius concubinae sororem. Testis omnium gentium, praeter Romanorum, absentia mulierum, quae SS. Apostolorum limina orandi gratia timent visere, cum nonnullas ante dies paucos hunc audierint conjugatas, viduas, virginas vi oppressisse. Testis sunt SS. Apostolorum Ecclesiae, quae non stillatim pluviam, sed totum tectum intrinsecus supra ipsa etiam sacrosancta altaria imbreu admittunt.

¹³ Schlosser, ii. ii. 202. W. Dönniges Jahrbücher des deutschen Reichs unter Otto I. Berlin. 1839. 8. S. 81. Luitpr. de Rebus gest. Ottonis, c. 3: Jusjurandum vero (Otto) ab eodem P. Joanne supra pretiosissimum corpus Petri, atque omnibus civitatis proceribus, se nunquam Berengario atque Adelberto auxiliaturum, accepit. On the contrary, Gratian,

ously toward him, Otto caused him to be deposed¹⁴ (963), appointing as pope¹⁵ Leo VIII., whom he maintained in spite of all the opposition of John XII. and Benedict V.

P. i. dist. lxiii. c. 33, has a juramentum Ottonis, before he was emperor (three texts in Pertz Monum. iv. 28): Quod si—Romam venero, S. Rom. Ecclesiam, et te rectorem ipsius exaltabo secundum posse meum, et numquam vitam, aut membra, et ipsum honorem, quem habes, mea voluntate—aut meo consensu—perdes: et in Romana urbe nullum placitum, aut ordinacionem faciam de omnibus, quae ad te aut ad Romanos pertinent, sine tuo consilio, et quicquid de terra S. Petri ad nostram potestatem pervenerit, tibi reddam, etc. Dönniges, p. 203, believes that this oath, whose tenor is certainly strikingly like the feudal oath, was forged at the time of the investiture controversy. On the other hand, Gfrörer, iii. iii. 1242, declares it to be authentic. The investiture act of Otto, given by Baronius ad ann. 962, no. 3, professedly from the original (ap. Pertz, iv. ii. 164), has been pronounced spurious, especially by Goldast, Conring (de Germanorum Imp. Romano. 1643. Opp. i. 76), and Muratori; but defended on the other side by Gretser, Cenni and Marini (Rom. 1822). Probably the genuine original document was subsequently falsified, Pertz, iv. ii. 159. The expression of the investiture is significant for the relations of this period, ut ea in illius [Pontifices] ditione ad utendum et fruendum atque disponendum firmiter valeant obtineri, salva in omnibus potestate nostra, et filii nostri posterorumque nostrorum, secundum quod in pacto et constitutione ac promissionis firmitate Eugenii Pontificis (see above, § 6, note 4), successorumque illius continetur. The fictitious investiture of Lewis the Debonaire (see § 6, note 1), which appears to have been adopted into this of Otto, has certainly flowed first from it. Comp. Le Bret Geschichte Italien, i. 476.

¹⁴ See the Acts of the conc. Rom. ap. Luitprand. de Rebus gestis Ottonis, c. 10, ss. (Pertz, v. 342). Comp. Dönniges Jahrbücher d. deutschen Reichs unter Otto I. S. 93. The older writers always acknowledged the legitimacy of this council (even as late as Platina in the fifteenth, and Onuphrius Panvinius in the sixteenth century); on the contrary most of the later catholic historians, after Baronius ad ann. 963, declare it to be a Pseudosynodus and Conciliabulum, and Leo VIII., who was there elected, a Pseudo-papa. Comp. particularly Nat. Alex. Hist. eccl. ad saec. ix. et x. diss. xvi.

¹⁵ Luitprand. c. 8: Cives vero sanctum Imperatorem cum suis omnibus in Urbem suscipiunt, fidelitatemque reprobmittunt: hoc addentes et firmiter jurantes nunquam se Papam electuros aut ordinaturos praeter consensum atque electionem domini Imperatoris Ottonis. Constitutio Leonis P. (by Theodoricus de Niem about 1400 communicated, with scholia, in the Privilegia et jura Imperii circa investituras Episcopatum et Abbatiarum in S. Schardii Syntagma tractatum de imperiali jurisdictione, p. 249, in extracts, ap. Gratian. P. i. dist. lxiii. c. 23, in an older form after Codd. of the eleventh century, ap. Pertz, iv. ii. 167):—Idcirco ad exemplum b. Adriani, sedis apostolicae Episcopi, cuius vitam et actionem satis discretam audivimus, et rationabilem admodum in suis spiritualibus sanctionibus recognovimus: qui ejusmodi S. Synodum constituit, et domino Carolo—Patriciatus dignitatem ac ordinationem apostolicæ sedis et Episcopatum concessit; nos quoque Leo, servus servorum Dei, Episcopus, simul cum cuncto Clero et universo populo Romano, omnibus ordinatibus hujus almae Urbis,—constituimus, confirmamus, corroboramus, et per nostram Apostolicam auctoritatem concedimus atque largimur domino Ottoni Primo, Teutonico Regi, dilectissimo spirituali in Christo Filio nostro, ejusque successoribus hujus regni Italiae in perpetuum, tam sibi facultatem successorem eligendi, quam summae sedis apostolicæ Pontificem ordinandi: ac per hoc Archiepiscopos seu Episcopos, ut ipsi tamen ab eo investituram suscipiant, et consecrationem recipient undecunque pertinuerit, exceptis his, quos Imperator Pontifici et Archiepiscopis concessit. Ita demum asserimus, ut nemo deinceps cuiuscunq; gradus vel conditionis, aut dignitatis sive religiositatis, eligendi Regem vel Patricium sive Pontificem summae sedis apostolicæ, aut quemcunq; Episcopum, vel ordinandi habeat facultatem, sed soli regi Romani Imperii hanc reverentiae tribuimus facultatem, absque omni pecunia haec omnia superius disponenda: et

As long as Otto I. lived, he preserved tolerable order in Rome;¹⁶ but immediately after his death (973), the Tuscan party elevated itself anew under *Crescentius* son of the younger *Theodora*.¹⁷ *Otto II.* († 983) maintained in some measure the imperial dignity; but during the minority of *Otto III.* *Crescentius* exercised full sway over Rome.¹⁸ The power of the pope seems to have sunk not only in this city but also in other countries;¹⁹ for at the instance of Hugo Capet a *Synod at Rheims*²⁰ did not

ut ipse sit Rex, et Patricius. Quodsi a Clero et populo quis eligatur Episcopus, nisi a supradicto Rege laudetur et investiatur, non consecratur. Unde si quis contra hanc apostolicam auctoritatem et traditionem aliquid molitur,—sciat se in iram b. Petri, Apostolorum Principis, et filii nostri domini Ottonis, ejus successorum, et nostram casuram, et sub anathematis vinculo emersurum, ac per hoc excommunicationi universalis Ecclesiae omnisque populi christiani eum subjacere decrevimus. Insuper nisi a malo resipuerit, irrevocabili exilio puniatur, vel ultimis suppliciis feriatur.—Baroniūs, ad ann. 964, no. 22 and 23, denies the genuineness of this document, though he refers to it again, ann. 996, no. 35 and 42. The genuineness is specially defended by Goldast. *Rationale constitut. imp.* p. 29, ss. Comp. also Chr. W. F. Walchii *Diss. de Ottone M.* p. 46, ss. Le Bret *Geschichte von Italien*, i. 486. The contents of the document correspond with the relations which were actually established at that time, but the form of it is perhaps spurious. Pertz, l. c. Dönniges, S. 102. However, Gfrörer, iii. iii. 1254, defends the latter also. Another document, in which Leo is said to have restored to the emperor all former imperial gifts (Pertz, iv. ii. 168), is doubtless wholly fictitious.

¹⁶ Popes: Leo VIII. † 965. Contini. Regin. ad ann. 965: Tunc legati Romanorum—Imperatorem pro instituendo, quem vellet, Romano Pontifice, in Saxoniam adeuntes, honorifico suscipiuntur et remittuntur. Et Otgerus, Spirensis Episc. et Linzo, Cremonensis Episc. cum eisdem Romam ab Imp. diriguntur. Tunc ab omni plebe Romana Joannes, Narniensis Ecclesiae Episc., eligitur. John XIII. † 972. Benedict VI.

¹⁷ Benedict VI., murdered by the Tuscan party, 974; Boniface VII. expelled by the people, 974; Benedict VII. † 983; John XIV., chosen by imperial influence. On the chronology see W. Giesebrécht in den *Jahrbüchern des deutschen Reichs unter Otto II.* S. 141.

¹⁸ Immediately after Otto II.'s death, Boniface VII. returned, and John XIV. died in prison, 984, Boniface VII. (cf. Arnulf. Aurel. in the discourse about to be quoted, note 19, below: Horrendum monstrum Bonifacius, cunctos mortales nequitia superans, etiam prioris pontificis sanguine cruentus—fugatus—redit—virum Apostolicum—squalore carceris affectum perimit) † 985. John XV. † 996, Gregory V. owed his election to his relative, Otto III. (See Schlosser, ii. ii. 291.) On the chronology see Wilman's *Jahrb. des deutschen Reichs unter Otto III.* S. 207.

¹⁹ The chief authority for the following is the newly-discovered Richerus, iv. 25, ap. Pertz, v. 636. Gerbert od. Papst Sylvester II. u. s. Jahrhundert, v. Dr. C. F. Hock. Wein. 1837. S. 80. Wilman's *Jahrb. des deutschen Reichs unter Otto III.* Berlin. 1840. S. 51. On Gerbert's letters belonging to this period, see Wilman, p. 167. On Richer, see p. 175. Gfrörer, iii. iii. 1441.

²⁰ The acts of this memorable synod have been preserved by Gerbert (Pope Sylvester II.). He says in the prologue: Accingar igitur, et summarum quidem genera causarum, in Remensi concilio exposita, breviter attingam, ut et gestorum veritas innotescat, et quae a summis viris retractata sunt agnoscantur,—triplici genere interpretationis utendum forecenseo, scilicet ut quaedam ad verbum ex alia in aliam transferantur lingua: in quibusdam autem sententiarum gravitas et eloquii dignitas dicendi genere conformatur: porro in aliis una dictio occasionem faciat, et abdita investigari, et in lucem ipsos affectus manifeste proferri. It seems, then, from this, that Gerbert had before him the protocol com-

hesitate to depose Archbishop Arnulf of Rheims, and to appoint the celebrated *Gerbert* his successor, in a manner that showed their utter contempt for the papal authority.²¹ *John XV.* declared indeed the decrees of this synod void; but, as it seems, without effect.²² On the other hand, the new king, Robert, found a

posed in the vulgar tongue. These acts were first published by the Magdeburg Centurions, cent. x. cap. 9, p. 457, ss., best with new appendices, ap. Pertz, v. 658. Baronius declared them to be spurious. Hence they are wanting in the older collections. Mansi, xix. 107, was the first to adopt them and declare: *Censem vulgo omnes, Gerbertum reipsa et sincere recitasse acta Concilii vere, habiti, etc.*

²¹ Arnulf was accused of having betrayed Rheims, A.D. 989, to Charles, duke of Lorraine, who pretended to the crown. Hugo Capet at first applied to the pope (letters in the Act. Syn. Rhem. cap. 25 and 26); but having got Arnulf into his power, he summoned that council. At it an attempt was made by certain monks at first to prove from the *Pseudo-Isidoriana* that Arnulf ought, first of all, to be restored to his bishopric, and that the negotia Episcoporum belonged to the see of Rome (cap. 19–23). This was specially opposed by Arnulphus Ep. Aurelianensis (qui ordinis custos ac omnium gerendorum interpres declaratus est, eo quod inter omnes Galliarum Episcopos sapientia et eloquentia clarior habetur, cap. 1). He said, cap. 28, among other things: *Nos—Rom. Ecclesiam—sempor honorandam decernimus—salva tamen auctoritate Nicaeni concilii. Si nova constitutio Rom. Pontificis promulgatis legibus canonum praejudicare potest, quid prosunt leges conditae, cum ad unius arbitrium omnia dirigantur? O lugenda Roma, quae nostris majoribus clara patrum lumina protulisti, nostris temporibus monstruosas tenebras futuro sacculo famosas offudisti! Olim accepimus claros Leones, magnos Gregorios. Eorum itaque dispositioni, qui vitae merito et scientia cunctos mortales anteirent, recte universalis Ecclesia credita est: quamvis et in hac ipsa felicitate hoc privilegium tibi ab Africanis Episcopis contradictum sit (see Vol. I. Div. II. § 94, note 61), has credo quas patimur miseras magis, quam typhum dominationis formidantibus. Nam quid sub haec tempora non vidi mus? Vidimus Johannem cognomento Octavianum, in volutabro libidinum versatum, etc. Num talibus monstris hominum ignominia plenis, scientia divinarum et humanarum rerum vacuis, innumeros sacerdotes Dei per orbem terrarum, scientia et vitae merito conspicuo subjici decretum est? Quid hunc, rev. Patres, in sublimi solio residentem, veste purpurea et aurea radiantem, quid hunc, inquam, esse consentis? Nimur si caritate destituitur, solaque scientia inflatur et extollitur. Autchristus est, in templo Dei sedens, et se ostendens tamquam sit Deus. Si autem nec caritate fundatur, nec scientia erigitur, in templo Dei tamquam statua, tamquam idolum est, a quo responsa petere, marmora consulere est. Quo ergo consultum ibimus? Certe in Belgica et Germania—summos sacerdotes Dei, religione admodum praestantes, inveniri, in hoc sacro conventu testes quidam sunt. Proinde, si regum dissidentium animositas non prohiberet, inde magis Episcoporum judicium petendum fore videretur, quam ab ea urbe, quae nunc emitoribus venalis exposita, ad nummorum quantitatem judicia trutinat. He then shows, in answer to the epist. *Pseudo-Damasi* cited by the monks, that, according to Gregory the Great, certainly bishops and metropolitans could be judged by provincial councils. Further, in opposition to the rule of *Pseudo-Damasus*, Synodus sine ejus Rom. sedis auctoritate fieri, non est catholicum: among other things: *Nicaenus canon bis in anno concilia debere fieri dicit, nihilque inde ad Rom. Episcopi auctoritatib[us] spectare praescribit.* But no suspicion that that decree might have been supposititious! At length, Arnulf of Rheims acknowledged his offense, and voluntarily resigned his place. Comp. *Gerbert's Rechtfertigungsschreiben für d. Concil. ad Wilderodum Episc. Argentinae* ap. Mansi, xix. 153.*

²² The French bishops united at the synod of Chela, 992, for this end (Richerius, iv. 89, ap. Pertz, v. 651), ut ab ea die idem sentirent, idem vellent, idem cooperarentur, secundum id quod scriptum est: *erat eis cor unum et anima una* (Act. iv. 32). Placuit quoque sanciri, si quid a Papa Romano contra Patrum decreta suggesteretur, cassum et iritum

reconciliation with the pope desirable, amid the hostile designs of the emperor Otto III. against him. *Gregory V.*²³ had the triumph of seeing Arnulf restored to freedom, and Gerbert compelled to yield (997);²⁴ so that he even met with obedience when he desired to annul Robert's marriage with Bertha, on account of their too near consanguinity.²⁵

fieri, juxta quod Apostolus ait: haereticum hominem et ab Ecclesia dissidentem penitus devita (Tit. iii. 10). Nec minus abdicationem Arnulfi et promotionem Gerberti, prout ab eis ordinatae et peractae essent, perpetuo placuit sanciri, juxta quod in canonibus scriptum habetur: Synodo provinciali statutum a nullo temere labefactandum. Comp. Gerbert's three letters ap. Mansi, xix. 173, ss. ad Constantimum Miciacensem Abb.:—Majus est, quod queritur, et quod appetitur, quam ego humili et parvus; verumque proverbiū est: tua res agitur, paries cum proximus ardet. Hoc enim concesso, dignitas vel potius gravitas confunditur sacerdotalis, status regni periclitatur, etc. Ad Siquinum Archiep. Senon.: Quomodo ergo nostri aemuli dicunt, quod in Arnulfi dejectione Romani Episcopi judicium expectandum fuit? Poteruntne docere Romani Episcopi judicium Dei majus esse? Constanter dico, quod si ipse Romanus Episcopus in fratrem peccaverit, saepiusque admonitus Ecclesiam non audierit, hic inquam, Rom. Episc. praeccepto Dei est habendus sicut ethnicus et publicanus. Quod si propterea sua communione nos indignos dueit, quia contra Evangelium sententi nullus nostrum consentit; non ideo a communione Christi nos separare poterit. Non est ergo danda occasio nostris aemulis, ut sacerdotium, quod ubique unum est, sicut Ecclesia catholica una est, ita uni subjici videatur, ut et pecunia, gratia, metu vel ignorantia corrupto nemo sacerdos esse possit. nisi quem sibi haec virtutes commendarint. Sit lex communis Ecclesiae catholicae Evangelium, Apostoli, Prophetae, Canones spiritu Dei constituti, et totius mundi reverentia consecrati, Decreta sedis apostolicae ab his non discordantia. Ad Adelaidem Imperatricem: Neque enim Ecclesiam, quam Episcoporum judicio regendam accepi, sine Episcoporum judicio relinquere volo.

²³ Respecting him see die deutschen Päpste v. C. Höfler (2 Th. Regensburg. 1839. 8) i. 94. Martinus Polonus in Chron. ad Ottoneum III. makes the remark: Licet tres Ottones per successionem generis regnaverunt, post tamen institutum fuit, ut per officiales imperii Imperator eligeretur, qui sunt septem, etc. In the work de regimine Principum (attributed to St. Thomas) lib. iii. cap. 19, this becomes: Otto imperium tenuit ad tertiam generationem, quorum quilibet vocatus est Otto. Et tunc, ut historici tradunt, per Gregorium V. genere similiter Teutonicum, provisa est electio, ut videlicet per vii. principes Alemanniae fiat, etc. This passage has been copied by succeeding writers, even defended by Baronius ad ann. 996, n. 38, ss. and Bellarmine de Translat. Rom. imp. lib. iii. but is now universally abandoned, cf. Natalis Alexander Hist. eccl. ad saec. ix. et x. diss. xvii.

²⁴ Richerus in fine, ap. Pertz, v. 657.

²⁵ Conc. Rom. ann. 998 can. 1 (Mansi, xix. 225): Ut rex Robertus consanguineam suam Bertam, quam contra leges in uxorem duxit, derelinquit et vii. annorum poenitentiam agat.—Quod si non fecerit, anathema sit, idemque de eadem Berta fieri praeceptum est. The contemporary Helgaldus Floriacensis Mon. relates in vita Roberti R. c. 17 (ap. Bouquet, x. 107) merely this: Abbonis Floriacensium Abbatis increpatio tam diu perstitit, donec Rex mitissimus reatum suum agnosceret, et quam male sibi copulaverat mulierem prorsus derelinqueret, et paccati maculam grata Deo satisfactione dilueret. The credulous Petrus Damiani († 1072) first tells us, Epist. lib. ii. Ep. 15 (ap. Bouquet, x. 492): Robertus—propinquam sibi copulavit uxorem, ex qua suscepit filium, anserimum per omnia collum et caput habentem. Quos etiam, virum scilicet et uxorem, omnes fere Galliarum Episcopi communi simul excommunicavere sententia. Cujus sacerdotalis edicti tantus omnem undique populum terror invasit, ut ab ejus universi societate recederent, nec praeter duos sibi servulos ad necessarii victus obsequium remanerent. Qui tamen et ipsi omnia vasa, in quibus rex edebat vel bibebat, percepto cibo, abominabilia judicantes,

When Crescentius violated the lauded obedience *Otto III.* put an end to his dominion (998),²⁶ and elevated, after Gregory's death, his own teacher Gerbert to the papal see, as *Sylvester II.*,²⁷ but at the same time took up his residence in Rome for the purpose of restoring the old Roman dominion in Byzantine forms.²⁸ Yet much as he purposed to favor *the Romans*, he only incurred their hatred, with his German associations.²⁹ After his death

pabulum ignibus exhibebant. His tandem Rex coactus angustiis, ad sanum consilium rediens, divortit incestum, iniitque legale connubium.

²⁶ Thietmari Chron. iv. 21, ap. Pertz, v. 776. Schlosser, ii. ii. 294.

²⁷ Gregory V. † 999, Sylvester II. † 1003 (Gerbert oder Papst Sylvester II. u. s. Jahrhundert, v. Dr. C. F. Hock. Wien. 1837. S. 129), John XVII. † 1003, John XVIII. † 1009, Sergius IV. † 1012, Benedict VIII. † 1034, John XIX. † 1033, Benedict IX.

²⁸ Thietmari Chron. iv. 29: Imperator antiquam Romanorum consuetudinem jam ex parte magna deletam suis cupiens renovare temporibus, multa faciebat, quae diversi diverse sentiebant. Wilman's Jahrb. d. deutschen Reichs unter Otto III. S. 133. Gfrörer, iii. iii. 1510. Remarkable fragments respecting form of government and ceremonials which were introduced into Rome at this time have been discovered by Pertz in the Vatican, and published by Blume in the Rheinisches Museum für Jurisprudenz, v. 123. Ottonis III. diploma, A.D. 999 (ap. Baronum ad ann. 1191, no. 57. Pertz, iv. ii. 162): Roman caput mundi profitemur, Rom. Ecclesiam matrem omnium Ecclesiarum esse testamur, sed incuria et inscientia Pontificum longe suae claritatis titulos obfuscasse. Nam non solum quae extra urbem esse videbantur vendiderunt—sed—si quid in hac nostra urbe regia habuerunt, ut majori licentia evagarentur, omnibus cum vindicante pecunia in commune dederunt, et S. Petrum et S. Paulum, ipsa quoque altaria spoliaverunt, et pro reparatione semper confusionem duxerunt. Confusis vero papaticis legibus, et jam abjecta Ecclesia Rom. in tantum quidam Pontificum irruerunt, ut maximam partem Imperii nostri apostolatui suo conjungerent.—Haec sunt enim commenta ab illis ipsis inventa, quibus Joannes Diaconus, cognomento Digitorum mutius [mozzo, mutilus, perhaps that John Diaconus whom John XII. first employed as a tool, Cont. Regin. anu. 960, and whose right hand he afterward caused to be cut off, id. ad ann. 964, Luitpr. Hist. Ottonis, c. 19, ap. Pertz, v. 346] praeceptum aureis literis scripsit, sub titulo magni Constantini longa mendacii tempora fixxit (see above, § 20, note 21). Haec sunt etiam commenta, quibus dicunt, quendam Carolum S. Petro nostra publica tribuisse (see above, § 21, note 30). Sed ad haec respondemus, ipsum Carolum nihil dare jure potuisse, utpote jam a Carolo meliore fugatum, jam imperio privatum, jam destitutum et annullatum.—Spretis ergo commentitiis praeceptis, et imaginariis scriptis ex nostra liberalitate S. Petro donamus quae nostra sunt: non sibi, quac sua sunt, veluti nostra conferimus. Sicut enim pro amore S. Petri dominum Sylvestrum magistrum nostrum Papam elegimus, et Deo volente ipsum serenissimum ordinavimus et creavimus: ita pro amore ipsius domini Sylvestri Papae, S. Petro de publico nostro dona conferimus—octo comitatus—Pisaurum, Fanum, Senogalliam, Anconam, Fossabrunum, Callium, Esium et Ausimum. This diploma was copied and authenticated by command of the pope, from the archives at Assisi, 1339 (the protocol ap. Baron. l. c.)—is declared spurious by Baronius, Gretser, Pagi, and others, and recently by Wilman's Jahrb. des deutschen Reichs unter Otto III. S. 233, defended by Muratori in his controversial writings concerning Commachio, by Pertz, l. c. and Gfrörer, iii. iii. 1570.

²⁹ Comp. the Roman fragments belonging to this time in the Rheinischen Museum für Jurisprudenz, v. 131: Postquam peccatis nostris exigentibus Romanorum imperium barbarorum patuit gladiis ferendum, Romanas leges penitus ignorantes illiterati ac barbari judices legis peritos in legem cogentes jurare, judices creare, quorum iudicio lis ventilata terminaretur. Hi accepta abusiva potestate, dum stipendia a republica non accipiunt, avaritiae face succensi jus omne confundunt. Comes enim illiteratus ac barbarus

(1002), the German dominion was cast off, the Tuscan party were again triumphant, and even from *Benedict VIII.* (1012), the papal dignity was for a long time hereditary in the family of the counts of Tuscany. Henry II.³⁰ was merely able to exercise imperial rights in Rome temporarily at his coronation (1014).³¹ To Benedict succeeded (1024) his brother *John XIX.* though yet a layman,³² and to him, even as early as 1033, a boy *Benedict IX.* one of the vilest men.³³ Having

nescit vera a falsis discernere, et ideo fallitur. Alberici Chron. ad ann. 1002 (ed. Leibnit. ii. 26) : Otto Imp. degens Romae, dum cum Romanis remissius agit, tractans, qualiter jura Regni et Ecclesiae ad antiquum statum reformaret; Romani per hoc ad contemptum ejus adducti, subito contra eum conspirant, et aliquot militum ejus peremtis eum in palatio obsident, unde—vix egressus Roma discedit cum Sylvestro (comp. Thietmar, iv. 30.)—moritur. Milites transalpini corpus Imperatoris defuncti cum insignibus Imperii ad Galliam [Germaniam] transferentes, crebris Italorum incuribus lacessiti armis sibi viam parant.

³⁰ Thietmar, vii. 1. Glaber Radulphus (monk in Clugny, about 1045) Historiarum sui temporis, lib. i. c. 5 : Anno igitur Dominicæ incarnationis M.XIV. licet insigne illud imperiale diversis speciebus prius figuratum fuisset, a venerabili tamen P. Benedicto—fieri jussum est admodum intellectuali specie idem insigne. Praeceps fabricari quasi aureum ponnum, atque circumdari per quadrum pretiosissimis quibusque gemmis, ac desuper auream crucem inseri. Erat autem instar hujus mundanae molis—at dum siquidem illud respiceret Princeps terreni imperii, foret ei documentum, non aliter debere imperare vel militare in mundo, quam ut dignus haberetur vivificae crucis tueri vexillo; in ipso etiam diversarum gemmarum decoramine videlicet Imperii culmen plurinamarum virtutum speciebus exornari oportere. Cumque postmodum praedictus Papa Imperatori videlicet Henrico—obviam—processisset—eique hujusmodi insigne scilicet Imperii—tradisset, etc.

³¹ Thietmar, lib. vi. in fine :

Ista dies pulchro signetur clara lapillo,
Qua Regi nostro se subdit Roma benigno.

Hugo Farsensis Abbas de Imminutione rerum monasterii sui (in Mabillonii Ann. ord. S. Bened. t. iv. App. p. 701, 704) related of Henry's verdicts pertaining to the monastery of Farfa.—The act of investiture by Henry II. (ap. Mansi, xix. 331. Pertz, iv. ii. 173), which agrees with that of Otto I. (see note 13), except some few additions, is declared spurious by Conring de Germ. Imp. Rom. c. x. § 15, Muratori Annual. d'Italia vi. 46. See F. Hahn deutsche Staats-, Reichs- und Kaiserhist. ii. 208, defended on the contrary by Cenni Monum. dominationis pontif. ii. 165. Borgia Breve istoria del dominio temporale della sede apostolica nelle due Sicilie (Roma. 1788. 4) p. 269. According to Pertz, it belongs to the year 1020, but is interpolated.

³² Glaber Radulph. iv. c. 1: Johannes iste cognomento Romanus, frater illius Benedicti, cui in Episcopatum successerat, largitione pecuniae repente ex laicali ordine neophytus constitutus est Praesul. Sed insolentia Romanorum adinvenit pallianda subdolositas ridiculum, scilicet ut, quemcunque pro suo libitu inpræsentiarum ad Pontificatus officium delegerint, mutato nomine quod illi prius fuerat, aliquo magnorum Pontificum nomine illum appellari decernant: re vera quem si non meritum rei, saltem nomen extollat. The first pope who changed his name was John XII.

³³ From this time onward the following works of two decided adherents of Gregory VII. are important for history: Lib. ad amicum s. de Persecutione Ecclesiae libb. ix. of Bonizo, bishop of Sutri, afterward of Piacenza († 1089), where from lib. v. we meet with a history of the popes from Benedict IX. to Gregory VII. (in Oefelii Scriptores rerum Boicarum, ii. 794. Comp. Stenzel's Geschichte Deutschlands unter den fränkischen Kaisern, ii. 67), and the work of Desiderius, abbot of Cassino, who was afterward Pope Victor III. († 1086), entitled de Miraculis a S. Benedicto aliisque monachis Casinensis gestis dialogorum,

been expelled (1044) and *Sylvester III.* chosen in his place, he sold his right to the papal dignity to *Gregory VI.*³⁴ To this confusion the emperor *Henry III.* put an end, when he appeared

lib. iii. init. (Bibl. PP. Lugd. xviii. 853). Besides Annales Romani from 1044 in the Spicileg. Rom. t. vi. (Romae. 1841), p. 282, ap. Pertz, vii. 468. Bonizo, lib. v. p. 801, relates: *Urbis Romae Capitanei et maxime Tusculani per patriciatus inania nomina Romanam vastabant Ecclesiam, ita ut quodam hereditario jure viderentur sibi possidere pontificatum.* Enimvero mortuo Joanne Benedicti Papae fratre, qui uno eodemque die Praefectus fuit et Papa, cum successisset ei Theophylactus, qui Alberici fuit filius, Gregorius frater ejus nomen sibi vendicabat patriciatus. Desiderius, l. c.: *Dum per aliquot annos nonnulli solo nomine Pontificum cathedram obtinenter; Benedictus quidam nomine, non tamen opere, cuiusdam Alberici Consulis filius, Magi potius Simonis, quam Simonis Petri vestigia sectatus, non parva a patre in populum profligata pecunia, summum sibi sacerdotium vindicavit (and even according to Glaber Radulph. iv. c. 5, when puer ferme decenniis or duodecenniis): cuius quidem post adeptum sacerdotium vita quam turpis, quam foeda, quamque execranda extiterit, horresco referre.*

³⁴ Desiderius, l. c.: *Denique cum rapinas, caedes, aliaque nefanda in Romanum populum aliquanta per tempora sine ulla dilatione ageret (Benedictus), congregati in unum populi, quia ejus nequitiam amplius ferre nequibant, eum a pontificatus cathedra exturbantes, urbe pellunt, alterumque in locum ejus, Joannem videlicet Sabinensem Episcopum (Sylvestrum), non tamen vacua manu, canonica parvipedentes decreta, substituunt. Qui tribus, non amplius, mensibus Romanae usus est cathedrae successione; Benedicto undique suis cum propinquis infestante urbem, quia ex consulibus terrae ortus erat, et in eis maxima virtus; urbe cum dedecore pulsus suum ad Episcopatum reversus est. Benedictus igitur, quod amiserat, sacerdotium recepit, pristinos tamen mores minime mutavit.*—*Cumque se a clero simul et populo propter nequitias suas contemni respiceret, et fama suorum facinorum omnium aures impleri cerneret: tandem reperto consilio (quia voluptati deditus, ut Epicurus magis, quam ut Pontifex vivere volebat) cuidam Joanni Archipresbytero, qui tunc in urbe religiosior caeteris clericis videbatur, non parva ab eo accepta pecunia, summum sacerdotium relinques, tradidit: ipse vero in propriis se castellis recipiens, urbe cessit. Interea Joannes, cui Gregorius nomen inditum est, cum ii. annis et viii. mensibus sacerdotium administrasset, Henricus Rex—Romanam adiit urbem.* Extracts from the work of this contemporary in Leo Ostiensis Chron. monasterii Casinensis, libb. ii. c. 79 (in Muratorii Rer. Ital. scriptt. iv. 395), and Hermannus Contractus ad ann. 1044, agrees with them. See Muratorii Excursus hist. l. c. p. 396. On the other hand there is much that is erroneous in Otto Frisingensis, vi. c. 32. Tribus ibi invasoribus (Benedicto, Sylvestro et Johanne)—sedem illam simul occupantibus, atque ad majoris miseriae cumulum divisum simul cum reditibus patriarchiis, uno ad S. Petrum, altero ad S. Mariam maiorem, tertio, i. e., Benedicto, in palatio Lateranensi sedente, flagitosam et turpem vitam, ut egomet in Urbe Romanis tradentibus audivi, duxere. Hunc miserrium statum Ecclesiae religiosus quidam Presbyter Gratianus nomine videus—praefatos viros adiit, eisque a se de s. Ecclesia cedere pecunia persuasit, Benedicto reditibus Angliae, quia majoris videbatur auctoritatis esse, relictis. Ob ea cives praefatum Presbyterum, tanquam Ecclesiae Dei liberatorem in summum Pontificem elegerunt, eumque mutato nomine Gregorium VI. vocaverunt. That *Gregory VI.* was at last the only acknowledged pope, and excited the best hopes by his personal character and acts is proved by Peter Damiani's letter to him (lib. i. Epist. 1, for example reparetur nunc aureum Apostolorum saeculum, et praesidente vestra prudentia, ecclesiastica refloreat disciplina, etc.) and by Glaber Radulphus, who concludes his history with the words, v. c. 5: *Benedictus—ejectus est a sede, et in loco ejus subrogatus est vir religiosissimus ac sanctitate perspicuous Gregorius,—cujus videlicet bona fama, quicquid prior foedaverat, in melius reformavit.* Stenzel's Gesch. Deutschlands unter den fränkischen Kaisern, i. 104. Engelhardt Observationes de Syn. Sutensi, and Erlangen Easter programme, 1834. Th. Mittler de Schismate in Eccl. Rom. sub pontificatu Benedicti IX. orto disp. Turici. 1835. 8.

before Rome with an army. Having called the *Synod of Sutri* (1046) he deposed all the three popes, and elevated to the Roman see Suidger, bishop of Bamberg, under the name of *Clement II.*³⁵

³⁵ Desiderius, l. c. continues: Sed antequam (Henricus) Urbem ingrederetur, plurimorum Episcoporum, necon Abbatum, Clericorum quoque ac religiosorum Monachorum in Sutrina urbe concilio congregato, Joannem, qui Gregorius dictus est, missis ad eum Episcopis, ut de ecclesiasticis negotiis, maximeque de Romana Ecclesia, quae tres simul tunc Pontifices habere videbatur, ipso praesidente, tractaretur, venire rogavit. Sed haec de industria agebantur: jam enim dudum regio animo insederat, ut tres illos, qui injuste apostolicam sedem invaserant, cum consilio et auctoritate totius Concilii, juste depelleret. Praedictus itaque Pontifex, exoratus a Rege, cacterisque Pontificibus, Sutrium, ubi Synodus congregata erat, allectus spe, quod aliis duobus depositis, sibi soli pontificatus confirmaretur, gratanter perrexit. Sed postquam eo ventum est, et res agitari ac discuti a Synodo coepta est; agnoscens, se non posse juste honorem tanti sacerdotii administrare, ex pontificali sella exsilens ac semetipsum pontificalia indumenta exuens, postulata venia, summi sacerdotii dignitatem depositus. Post haec Rex, Urbem ingressus, congregato in ecclesia b. Petri Apostoli Romano clero et populo una cum Episcopis, qui in praedictam convenerant Synodum, communis consilio Clementem Bambergensem Episc. elegerunt, quia in Romana Ecclesia non erat tunc talis reperta persona, quae digne posset ad tanti honorem sufficere sacerdotii. This is related more fully by Bonizo, l. c. p. 801, s. Hermannus Contractus ad ann. 1046, goes so far as to say: Henricus—elegit Pontificem; Lambertus ad ann. 1047: Tribus depositis—Suitgerum—vicarium Apostolorum constituit; Arnulfus Mediol. Rerum sui temporis, iii. 2: Henricus Papa—abjecto unum ex Teutonibus praeasurem illius loco substituit. On the other hand, those Romans who wrote during the disputes about investiture, endeavored to conceal the fact that popes had been previously appointed by the emperor, Walthramus Numburgensis de Investitura Episc. A.D. 1109 (in M. Goldastii Apologiae pro Henrico iv. p. 232), Sigebertus Gemblac. and Martinus Polonus ad ann. 1046 add: Ab eo rex Henricus in Imperatorem benedicitar, jurantibus Romanis, se sine ejus consensu nunquam Papam electuros. That is to say, according to Benzonis Panegyricus in Henricum III. Imp. lib. vii. c. 2 (in Menckenii Script. rer. Germ. i. 1062), it was resolved at a synod in Peter's Church at Rome, ut rex Henricus cum universis in monarchia imperii sibi succendentibus fieret Patricius, sicuti de Carolo (Magno) factum legimus.—Indutus igitur rex viridissima chlamyde, despousatur patriciali aumulo, coronatur ejusdem praelatura aureo circulo. As Patricius he now elects the pope, and is crowned emperor by him. Even Peter Damiani in his Disceptatio synodalnis (A.D. 1062, in Petri Dam. Opp. ed. Cajetani, iii. 23) admits the assertion of the regius advocatus, quod—Henricus Imperator factus est Patricius Romanorum, a quibus accepit in electione super ordinatum Pontifice principatum (in like manner in the Lib. gratissimus c. 36), Bonizo, l. c. p. 802, narrates the occurrence thus: Postquam imperiali est Rex auctus dignitate, calamitatibus reipublicae compatiens, civitatem a patriciorum liberavit tyrannide, quod valde esset laudabile, nisi subsequens post macularet commissum. Nam rumoribus populi illectus—tyrannidem patriciatus arripuit, quasi aliqua esset in laicali ordine dignitas constituta, quae privilegii possideret plus imperatoria Majestate.—Quid namque est, quod mentem tanti viri ad tantum traxit delictum, nisi quod credidit per patriciatus ordinem se Romanum posse ordinare Pontificem. The patricius was originally deputy of the emperor, even in the choosing of a pope. In stormy times the Roman nobles had made an independent authority out of the patriciate, with the right of appointing the pope. Hence it now appeared advisable to transfer it to the emperor himself, lest it should be again abused by petty tyrants.

§ 23.

PAPACY UNDER HILDEBRAND'S INFLUENCE.

Bonizonis Liber ad amicum, in Oefelii Scriptt. rer. Boicarum, ii. 794. Desiderii Abb. Casinensis de Miraculis S. Benedicti dialogi, in the Bibl. PP. Lugd. xviii. (see § 22, note 33). Leonis Ostiensis (monk and librarian in Monte Cassino, 1101, cardinal of the Roman Church) Chronicon monasterii Casinensis, libb. iii. in Muratorii Scriptt. rer. Italicarum, iv. Free from partiality for Hildebrand are the contemporary Annales Romani ap. Pertz, vii. 469.

Planck, iv. i. 1. J. Voigt's Hildebrand als Papst Gregorius VII. 2te Aufl. Weimar. 1846. S. 5. Schlosser's Weltgesch. ii. ii. 642. Schmidt's Kirchengesch. vi. 1. Neander, iv. 150. Stenzel's Gesch. Deutschlands unter d. fränk. Kaisern, i. 116. C. Höfler's deutsche Päpste (2te Abth. Regensb. 1839) i. 251. Annales Altahenses, hergestellt von W. Giesebricht. Berlin. 1841. S. 132.

Despicable as many popes had made themselves during the past period, the papacy itself was not so. These stormy times were rather propitious to it, by cutting off all opportunity of frequent discussion respecting the new principles contained in the Pseudo-Isidorian decretals, which every year of undisputed authority naturally contributed to confirm. When the more worthy popes,¹ chosen under imperial influence, now began to oppose the two evils of the Church, *simony* and *the immorality of the clergy*,² supported as they were by the general feeling

¹ Leo Ostiensis in Chron. monast. Casin. ii. c. 81: Clemente vero post ix. menses ultra montes defuncto (Clemens II. † 1047), praefatus Benedictus iterum in pontificatum reversus per viii. circiter menses illum retinuit, donec ab Imperatore transmissus ex Germania Damasus Brexenorum Episcopus illi in papatu successit. Henry asked advice of Wazo, bishop of Leige, at this new election. The bishop replied (Anselmus Leod. Gesta Pontifl. Leod. c. 106 in Jo. Chapeavilli auett. de gestis Pontiff. Tungrens. i.): Credimus, per ecclesiasticos ministros absque potentia seculari electiones et promotiones Apostolicorum fieri debere. But when his messenger arrived, the new pope had been already nominated. Damasus II. sat twenty-three days, † 1048. Leo IX. † 1054. Victor II. † 1057. Stephen IX. † 1058. Nicolaus II. † 1061. Alexander II. † 1073.

² Desiderii de Miraculis S. Bened. dialog. lib. iii. init.: Dum igitur negligentia sacerdotum, maximeque Romanorum Pontificum, Italia a recto religionis tramite paulatim devians labefactaretur, in tantum mala consuetudo adolevit, ut sacrae legis auctoritate postposita, divina humanaque omnia miscerentur: adeo ut populus electionem, et sacerdotes consecrationem donunque Spiritus Sancti, quod gratis accipere et dare divina auctoritate statutum fuerit, data acceptaque per manus pecunia, ducti avaritia venderent, ita ut vix aliquanti invenirentur, qui non hujus simoniacaे pestis contagione foedati—existerent. Itaque cum vulgus clericorum per viam effraenatae licentiae, nemine prohibente, gradetur: coeperunt ipsi Presbyteri ac Diacones (qui tradita sibi sacramenta dominica mundo corde castoque corpore tractare debebant) laicorum more uxores ducere, susceptosque filios heredes testamento relinquere: nonnulli etiam Episcoporum, verecundia omni contempta, cum uxoribus domo simul in una habitare: et haec pessima et exsecranda consuetudo intra Urbem maxime pullulabat, unde olim religionis norma ab ipso Apostolo Petro

of the necessity of reform, they found no difficulty in establishing their entire supremacy over the whole Church, even by new encroachments on the rights of the bishops. These struggles began under *Leo IX.*,³ and were from the first, so directed by *Hildebrand*, the soul of this as well as of succeeding papal reigns, as to make the hierarchy independent of civil power.⁴ As long as Henry III. lived, the popes were obliged to content themselves with combating those two evils of the day, with an unwonted earnestness, and in unusual forms. *Leo IX.* did so at several synods,⁵ where he presided in person; and his successor, *Victor*

ejusque successoribus ubique diffusa processerat. In Glaber Radulph, v. 5, Henry III. reproaches the bishops: *Omnis quippe gradus ecclesiasticus a maximo Pontifice usque ad ostiarium opprimuntur per sua damnationis pretium, ac juxta vocem dominicanam in cunctis grassatur spiritale latrocinium.* Glaber adds: *Non solum in Gallicanis Episcopis haec pessima pullulaverat nequitia, verum etiam multo amplius totam occupaverat Italiam: omnia quippe ministeria ecclesiastica ita eo tempore habebantur venalia, quasi in foro saecularia mercimonia.*

³ Desiderius, l. c.: *Leo—qui, quaemadmodum scriptum est, coepit invocare nomen Domini; a quo omnia ecclesiastica studia renovata ac restaurata; novaque lux mundo visa est exoriri.*—*Vita Leonis IX.*, by his former archdeacon in Toul, in 2 BB. in the Act. SS. ad d. 19, Apr. and in Muratorii Rer. Ital. scriptt. iii. i. 278; and by Bruno, bishop of Segni, about 1100, ap. Murator. iii. ii. 346.

⁴ Wibert. in vit. *Leonis IX.* lib. ii. c. 2: *Leo IX.* was chosen pope at a Diet at Worms (Bruno Tullensis Episcopus, Teutonicus natione, et stirpe regali progenitus, see *Leo Ostiensis*, ii. 81), and consented at length to accept the dignity, ea conditione, si audiret, totius clero ac Romani populi communem esse sine dubio consensum. He then traveled back to Toul, and thence to Rome, pedes longinquo itinere nudis plantis incedit,—adstanti clero et populo Romano imperiale de se electionem—brevi sermunculo promulgat eorum, voluntatem, qualisque erga se sit, pandere expostulat. Dicit electionem cleri et populi canonicei auctoritate aliorum dispositionem praeire: affirmat se gratanti animo in patriam redditum, nisi fiat electio ejus communi omnium laude. Bruno in vita *Leonis IX.* makes him even express that resolution at the election in Worms, but then he relates in addition the following, which he himself had heard, as is highly probable, from Hildebrand. Illi autem diebus erat ibi monachus quidam Romanus, *Ildibrandus nomine, nobilis indolis adolescens, clari, ingenii, sanctaeque religionis.* Iverat autem illuc, tam discendi gratia, tum etiam ut in aliquo religioso loco sub b. *Benedicti* regula militaret. Hunc igitur b. *Episcopus* vocavit ad se, cuius propositum, voluntatem et religionem mox ut cognovit rogavit eum, ut simul cum eo Romam rediret. Cui ille, “non facio,” inquit. Respondit *Episcopus*: “Quare non?” At ille: “Quia non secundum canonicam institutionem, sed per saecularem et regiam potestatem Romanam Ecclesiam arripere vadis.” Ille autem, ut erat natura simplex atque mitissimus, patienter ei satisfecit, redditus de omnibus, sicut ille voluerat, ratione. Et tunc *Episcopus* Romam veniens praedictum monachum secum adduxit, multum in hoc ipso b. *Petro Apostolo* serviens, quod illum hominem secum reducet, cuius consilio et sapientia Romana Ecclesia aliquando regenda et gubernanda erat. Otto Frisingensis, vi. c. 33, incorrectly makes the monastery of Clügny the scene of this conversation. See Mabillon. Annal. Bened. lib. lviii. no. 113.

⁵ On the first council in Rome, 1049, see Wibert. ii. c. 4: *Simoniacam haeresim damnavit—et in eodem concilio quosdam depositus Episcopos, quos praedicta haeresis naevi suaे nequitiae maculaverat;* and Petrus Damiani Opusc. vi. c. 35. (Opp. ed. C. Cajetani, iii. 68): *Cum omnes simoniacorum ordinationes synodalis vigoris auctoritate cassasset, protinus a Romanorum multitudine sacerdotum magnae seditionis tumultus exortus est:*

II.,⁶ by legates.⁷ But after Henry III.'s death († 1056)

ita ut non solum ab ipsis, sed a plerisque diceretur Episcopis, omnes paene basilicas sacerdotalibus officiis destitutas, et praecipue missarum solemnia, ad subversionem christianae religionis et desperationem omnium circumquaque fidelium, funditus omitenda. Quid plura? Post longa sane disceptationum hinc inde volumina tandem suggestum est, reverenda memoriae nuper ejusdem sedis Episcopum decrevisse Clementem: ut quicumque a simoniaco consecratus esset, in ipso ordinacionis suac tempore non ignorans, simoniacum esse cui se obtulerit promovendum, xl. nunc dierum poenitentiam ageret, et sic in accepti ordinis officio ministraret. Quam nimur sententiam protinus venerabilis Leo ratam percensuit, etc. (That Leo afterward wavered between this and reordination required by Humbert, see Berengarius Turon. de Sacra coena ed. Vischer. Berol. 1834, p. 40). In 1049, he held councils for the same object at Rheims and Mainz; 1050, at Vercelli and Sipontum; 1051, at Rome; 1052, at Mantua. The most complete account of the Council. Rhemense is extant (prim. ed. Baron. in append. tom. xi. ad ann. 1049, ap. Mansi, xix. 727): When the pope came to France, some noblemen of the kingdom and some bishops and abbots applied to the king, and Regi suggerunt, regni sui decus annihilari, si in eo Romani Pontificis auctoritatem dominare permitteret; vel si eidem, ut decreverat, occurrens praesentiae sua favorem ad cogenitum concilium exhiberet. Addunt etiam, quod nullus antecessorum ejus id reperiatur aliquando concessisse, ut ob similem causam in Franciae urbes ingressus pateret alicui Papae. But when the pope could not be induced to put off the council, the king summoned his bishops to attend the army to quell certain insurrections, and hence only nineteen bishops presented themselves in Rheims. The object of the council was to treat (Mansi, xix. 737) de multis illicitis, quae contra canonum instituta in Gallicis finibus exercebantur, i. e., de simoniaca haeresi, etc. Post haec ad Episcopos sermone converso communuit illos sub anathemate apostolicae auctoritatis, ut si quis eorum ad sacros ordines per simoniacam haeresim pervenisset, vel praemio quem libet ad eandem dignitatem promovisset, publica confessione patefaceret. Finally, edictum est sub anathemate auctoritatis apostolicae, ut si quis assidentium quempiam universalis Ecclesiae primatum praeter Romanae sedis antistitem esse assereret, ibidem publica satisfactione patefaceret. Cumque ad haec universi reticerint, lectis sententiis super hac re olim promulgatis ab orthodoxis Patribus, declaratum est, quod solus Romanae sedis Pontifex universalis Ecclesiae Primas esset et Apostolicus. After having deposed several of the bishops for simony, habitus est sermo de Episcopis, qui invitati ad synodum venire noluerant, —poena damnati sunt excommunicationis, cum omnibus illis, qui ipsius Papae formidantes adventum, hac de re profecti erant in expeditionem Regis. Excommunicatus est etiam S. Jacobi Archiepiscopus Galliciensis, quia contra fas sibi vindicaret culmen apostolici nominis.

⁶ The Annales Altahenses (restored by Giesebricht, p. 89), and Lambertus, ad ann. 1054, say merely that the emperor appointed him pope. But Leo Ostiens. in Chron. Casinensi, ii. c. 89: Defuncto praeterea s. memoriae P. Leone Hildebrandus, tunc Romanae Ecclesiac Subdiaconus, ad Imperatorem a Romanis transmissus est, ut, quoniam in Romana Ecclesia persona ad tantum officium idonea reperiri non poterat, de partibus illis, quem ipse, tamen vice cleri populi Romani, in Pontificem Romanum elegisset, adduceret. Quod cum Imperator assensus fuisset, et Gebhardum Aistettensem Episcopum—Hildebrandus ex industria et consilio Romanorum expetivisset, tristis super hoc valde Imperator effectus est: nimis enim illum carum habebat. Et cum eundem sibi omnimodis necessarium Imperator assereret, et alium atque alium huic officio magis idoneum judicaret; Hildebrando tamen, ut alterum reciperet, persuaderi nullatenus potuit. Erat enim idem Episcopus, super id quod prudentia multa callebat, post Imperatorem potentior ac dictior cunctis in regno. Hunc ergo Hildebrandus, invito licet Imperatore, invito etiam eodem ipso Episcopo,—Romanum secum adduxit, eique Victoris nomen imponens, Romanum Papam cunctorum assensu constitut; cum jam ferme a transitu P. Leonis annus elaberetur. Qui, quoniam eidem praedecessori suo, ut supra diximus (cap. 84), impedimento maximo fuerat (unquestionably the chief ground of Hildebrand's choice) quotiens a circumpositis molestiam aliquam patiebatur, dicere solitus erat: "Merito haec patior," etc.

⁷ Hildebrand held the synod of Tours, 1054, as the legate of Leo IX. (not as legate of

*Nicolaus II.*⁸ secured the election of popes by committing it to the college of cardinals⁹ (1059), contrary to the predominance of civil influence hitherto existing,¹⁰ and gained also, as vassal

Victor II. 1055, see Berengarius below, § 29, note 9), then the synod of Lyons, 1055, as legate of Victor; other legates held those at Licieux, 1055, at Toulouse, 1056.

⁸ Concerning his election Leo Ostiens. in Chron. Casin. ii. c. 100: Stephen IX. had commanded before his death, ut, is antequam Hildebrandus—ab Imperatrice, ad quam—mittebatur, rediret, se obire contingeret, nullus omniuo eligere Papam praesumeret, sed usque ad illius redditum apostolica sedes intacta vacaret, ejus demum consilio ordinanda (this account is from Petr. Damiani, lib. iii. Ep. 4), c. 101: The opposite party, led by the count of Tusculum, immediately elected Benedict X. Petrus Damiani—uno cum Cardinalibus coepit obsistere, reclamare ac anathematizare; sed omnes hi tandem—per diversa coacti sunt litabula fugere. iii. c. 13: Cum—Hildebrandus reversus ab Imperatrice—in vasam a pessimis hominibus Ecclesiam comperisset, Florentiae substitut, suisque literis super hoc Romanorum meliores conveniens, corumque ad omnia consensum recipiens, mox annitente Gotfrido Duce, Girardum Florentinam Episcopum in Romanum Papam elegit, simulque cum ipso et Duce Romam mense jam Januario venit, ubi praefatus electus a Romano clero et populo apostolica sede inthronizatus et Nicolai nomen indeptus est. According to Lambert von Aschaffenburg ad ann. 1059, Nicolaus had been nominated by the empress, and the cunning Hildebrand availed himself of this pretext. Benedict X. was obliged to submit at once. Stenzel's Gesch. Deutschlands unter den fränk. Kaisern, i. 195. Voigt's Hildebrand, S. 39.

⁹ Clericus Cardinalis or incardinatus is Clericus primarius certo coctui addictus, Titularis, as opposed to the Commonds, vicars and assistant clergy. The expression, Cardinalis Pontifex, is found to have been first employed by Pope Gelasius, in the sense of Episcopus ordinarius (dist. xxiv. c. 3). Afterward, frequently in Gregory the Great, Cardinalis episcopus, c. sacerdos, c. presbyter, c. diaconus, also the expression incardinare aliquem. A bishop whose church was taken by enemies, and who is provisionally set over another vacant church as bishop, in illa Ecclesia incardinatur, and becomes Cardinalis illius Ecclesiae, see Liber diurnus, c. iii. tit. xi. In-like manner, Gregorius M. lib. ii. Ep. 37. In an old ritual, ap. Baronius ann. 1057, it is said of the Lateran Church: Haec vii. Cardinales Episcopos habebat, qui dicebantur collaterales et hebdomadarii, eo quod singulis hebdomadibus per vices explerent munus Pontificis. In Pope John VIII. is found Cardinis Ecclesiae Romanae Presbyter (Ep. 89), Diaconus cardinis Ecclesiae Ravennatensis (Ep. 220). The Conc. Meldense ann. 845, c. 45 (Mansi, xiv. 831), calls the offices of them tituli cardinales. So in all churches (but remarkable in Leonis IX. Ep. i. ad Michael Patr. Const. c. 32, ap. Mansi, xix. 653): Unde clerici summae sedis Cardinales dicuntur: cardini utique illi, quo caetera moventur, vicinus adhaerentes), abolished in Ravennae as late as 1568 by Pius V. Comp. Onuphrius Pauvinus de Cardinalium origine in the Spicileg. Rom. ix. 469. Thomassini Vet. et nov. Ecclesiae discipl. P. i. lib. ii. cap. 113-116. J. F. Buddeus de Origine cardinalitate dignitatis. Jenae. 1693. 12. Muratori Antiquitt. Ital. medii aevi, v. 156.

¹⁰ Decretum de electione Rom. Pontificis, passed at a Roman synod in April, 1059 (Henricus Episc. Spirensis ad Hildebrandum P., Codex Udalrici, no. 162, in Eccardi Corpus hist. medii aevi, ii. 172: Hujus consilii, seu decreti tu ipse auctor, persuasor subscriptorque fuisti), preserved in two different texts. The one in the Chronicon Farfense (composed about 1100) in Muratorii Rer. Ital. script. ii. ii. 645; in Udalrici Babenberg. Codex epistolaris (collected 1125) no. 9; in Eccardi Corpus histor. medii aevi, ii. 21; and in the Cod. Vatican. no. 1984, written about 1100, best in Pertz, iv. ii. 176, runs thus: Decernimus atque statuimus, ut obeunte hujus Romanae universalis Ecclesiae Pontifice, in primis Cardinales diligentissima simul consideratione tractantes, salvo debito honore, et reverentia dilectissimi filii nostri Heinrici, qui in praesentiarum Rex habetur, et futurus Imperator Deo concedente speratur, sicut jam sibi, mediante ejus nuntio Longobardiae Cancellario W. (Wibert who was afterward rival pope of Clement III., who was present,

and protector of the papal see, *Robert Guiscard*, duke of the

see Bonizo ap. Oeufe, ii. 806) concessimus, et successorum illius, qui ab hac apostolica sede personaliter hoc jus impetraverint, ad concensum novae electionis accedant: ut nimirum, ne venalitatis morbus qualibet occasione subrepatur, religiosi viri cum reverendissimo filio nostro Rege Heinrico praeduces sint in promovenda Pontificis electione; reliqui autem sequaces. Eligant autem de ipsis Ecclesiae gremio, si reperitur idoneus; vel si de ipsa non invenitur, ex ali assumatur. Quod si pravorum atque iniquorum hominum ita perversitas invaluerit, ut pura, sincera, atque gratuita electio fieri in Urbe non possit; licet tantum pauci sint, jus tamen potestatis obtineant eligere apostolicae sedis Pontificem, ubi cum invictissimo Rege congruentius judicaverint.—The second text in *Hugonis Floricensis* (about 1120) *Tract. de regia potest. et sacerdotali dignitate in Baluzii Miscell. lib. iv. p. 62, ss.* and in *Gratiani Decret. dist. xxiii. cap. 1: Decernimus atque statuimus, ut obeunte hujus Romanae universalis Ecclesiae Pontifice imprimis Cardinales Episcopi diligentissime simul de electione tractantes mox ipsi Clericos Cardinales adhibeant, sive reliquus clerus et populus ad consensum novae electionis accedat: nimirum praecaventes, ne venalitatis morbus aliqua occasione subrepatur. Et ideo religiosissimi viri praeduces sint in promovenda Pontificis electione, reliqui autem sequaces. Certus vero atque legitimus electionis ordo perpenditur, si perspectis diversorum Patrum regulis s. gestis etiam illa b. Leonis praedecessoris nostri sententia recolatur: "Nulla," inquit, "ratio sinit, ut inter Episcopos habeantur, qui nec a clericis sunt electi, nec a plebibus expetiti, nec a comprovincialibus Episcopis cum Metropolitanani judicio consecrati." Quia vero sedes apostolica cunctis in orbe terrarum praefertur Ecclesiis, atque ideo supra se Metropolitanum habere non potest: Cardinales Episcopi procul dubio Metropolitanai vice funguntur, qui videlicet electum Episcopum ad apostolici culminis apicem provehant. Eligatur autem de ipsis Ecclesiae gremio, si reperitur idoneus; vel si de ipsa non invenitur, ex alia assumatur: salvo debito honore et reverentia dilecti filii nostri Henrici, qui imprae-sentiarum Rex habetur, et futurus Imperator Deo concedente speratur; sicut jam sibi concessimus, et successoribus illius, qui ab apostolica sede personaliter hoc jus impetraverint. Quodsi pravorum atque iniquorum hominum ita perversitas invaluerit, ut pura, sincera atque gratuita fieri in Urbe non possit electio: Cardinales Episcopi cum religiosis clericis, catholicisque laicis, licet paucis, jus potestatis obtineant eligere apostolicae sedis Pontificem, ubi congruere viderint. The following with a few unimportant deviations, agrees in both texts: Plane postquam electio fuerit facta, si bellica tempestas, vel qualis-cumque hominum conatus, malignitatis studio restiterit, ut si qui electus est in apostolica sede juxta consuetudinem inthronizari non valeat: electus tamen, sicut verus Papa, obtineat auctoritatem regendi Romanam Ecclesiam, et disponendi omnes facultates illius. Quod b. Gregorium ante suam consecrationem fecisse cognovimus. Quod si quis contra hoc nostrum decretum synodali sententia promulgatum per seditionem vel prae-umptionem quolibet ingenio electus, aut etiam ordinatus s. inthronizatus fuerit; auctoritate divina et SS. Apostolorum Petri et Pauli perpetuo anathemate cum suis auctoribus, fautoribus et sequacibus a limine sanctae Dei Ecclesiae separatus, abjeciatur sicut Antichristus, invasor, etc. It is generally assumed that the former text is genuine, and that the second originated by interpolation, made with a view to the papal interest, during the disputes about investiture. But if we are to believe Anselm, bishop of Lucca, who, contra Guibertum P. lib. ii. (Bibl. PP. Lugd. xviii. 609), A.D. 1084, writes: Wicbertus aut sui, ut suaे parti favorem adscriberent, quaedam in eodem decreto addendo quaedam mutando ita illud reddiderunt a se dissidens, ut aut pauca aut nulla exemplaria sibi concordantia valeant inveniri: the first text rather originated by an interpolation which the party of the antagonist pope, Clement III., had undertaken. For this also the following considerations may be alleged: 1. The cardinal bishops had certainly received in the decree the privileges assigned to them in the second text. Nicolaus II. himself gives the statement thus in his synodical letter, ap. Mansi, xix. 907: Ut si quis apostolicae sedi sine concordia et canonica electione, ac benedictione Cardinalium Episcoporum, ac deinde sequentium ordinum religiosorum clericorum inthronizatur, non Papa vel Apostolicus habeat. Petri Damiani, lib. i. Ep. 20, ad Cadolaum, A.D. 1061: Cum electio illa per Episcoporum Car-*

Normans, in southern Italy.¹¹ *Alexander II.* was even (1061) elected solely by the cardinals, without any regard to the young king. It is true that the Roman noblemen now sought for support at the imperial court, remembering their former influence over the choice of popes. *Honorius II.*¹² was chosen in

dinalium fieri debeat principale judicium, secundo loco jure praebeat Clerus assensum, tertio popularis favor attollat applausum: sicque suspendenda est causa, usque dum regiae celsitudinis consulatur auctoritas. This position was also taken by the cardinal bishops at the next elections, for example, at that of Gregory VII. (Baron. 1073, no. 20) and Urban II. (Chron. Casin. iv. 2.) On the contrary, they had not co-operated in the choice of Clement III., and therefore his party had cause for undertaking this alteration. 2. The imperial rights are as indefinitely expressed in the second text, as one might expect from Hildebrand. The more precise definitions respecting them in the first text correspond entirely to the choice of Wibert, which took place in the presence of Henry IV. in Brixia, A.D. 1080. 3. During the disputes about investiture, the papal party would not by any means have been satisfied with an interpolation of the decree, such as the changing of the first text into the second would have been; on the contrary, the heads of this party, Desiderius, abbot of Cassino, Anselm, bishop of Lucca, Bouizo, declared it to be invalid. (See Div. II. § 47, note.) Comp. Ed. Cunitz de Nicolai II. *decreto de electione Pontiff.* Rom. diss. hist. crit. Argentor. 1837. 4.

¹¹ His right to Sicily he proved from a copy of the act of investiture of Otto I. (see above, § 22, note 13) in which, in the passage, *necon patrionium Sicilae, si deus illud nostris tradiderit manibus, etc.*, the last clause was left out. See Cenni *Monumenta dominationis pontificiae*, ii. 48. The two forms of the oath, ap. Baronius ad ann. 1059, notes 70 and 71, more complete in Borgia's *Breve istoria del dominio temporale*, etc. Append. nr. iii. p. 23: First oath: *Ego Robertus Dei gratia et S. Petri Dux Apuliae et Calabriae, et utroque subveniente futurus Siciliae ad confirmationem traditionis et ad recognitionem fidelitatis de omni terra, quam ego proprie sub dominio meo teneo, et quam adhuc ulli Ultra-montanorum unquam concessi, ut teneat: promitto me annualiter pro unoquoque jugo boum pensionem, scilicet xii. denarios papiensis monetae, persoluturum b. Petro, etc.* Second oath: *Ego Robertus, etc., ab hac hora et deinceps ero fidelis s. Romanae Ecclesiae, et tibi Domino^m meo Nicolao Papae. In consilio vel in facto, unde vitam aut membrum perdas, aut captus sis mala captione, non ero. Consilium, quod mibi credideris, et contradices, ne illud manifestem non manifestabo ad tuum damnum, me sciente, s. Romanae Ecclesiae ubique adjutor ero ad tenendum et ad acquirendum regalia S. Petri ejusque possessiones pro meo posse, contra omnes homines; et adjuvabo te, ut securè et honorifice teneas Papatum Romanum, terramque S. Petri, et principatum: nec invadere, nec acquirere quacram, nec etiam depraedari praesumant absque tua tuorumque successorum —certa licentia.—Omnes quoque Ecclesias, quae in mea persistunt dominatione, cum carum possessionibus dimittam in tua potestate. Et defensor ero illarum ad fidelitatem s. Romanae Ecclesiae. Et si tu, vel tui successores ante me ex hac vita migraveritis, secundum quod monitus fuero a melioribus Cardinalibus, clericis Romanis et laicis, adjuvabo ut Papa eligatur et ordinetur ad honorem S. Petri.*

¹² Leo Ostiensis in Chron. Casin. iii. c. 21: *Defuncto apud Florentiam Apostolico—cum maxima seditio inter Romanos coepisset de ordinando Pontifice exoriri: Hildebrandus Archidiaconus cum Cardinalibus nobilibusque Romanis consilio habito, ne dissensio con valesceret, Anselmum tandem Lucensem Episcopam post iii. circiter menses in Romanum Pontificem eligunt, cumque Alexandrum vocari decernunt.—Quod cum ad aures Imperatricis ejusque filii pervenisset, indignatione nimia ducti, quod haec sine illorum consensu et auctoritate gesta fuissent, et ipsi nihilominus Cadolaum Parmensem Episcopum ultra montes—in Papam eligi faciunt, cumque Romam—cum valida manu militum et pecunia multa transmittunt. Bertholdus Constant. ad ann. 1061: Romae Nicolao Papa defuncto Romani coronam et alia munera Heinrico Regi transmiserunt, cumque pro eligendo*

Basel, and made a triumphal entry into Rome; but when Anno, archbishop of Cologne, had taken on himself the regency (1062), the general endeavor to weaken the royalty led the German potentates to take Alexander II.'s side. Honorius II. was forsaken.¹³ Alexander was able to appear even in Germany, hierarchically ruling as none of his predecessors had done.¹⁴ After Alexander's death (1073), Hildebrand himself assumed the papal dignity,¹⁵ under the name of Gregory VII., to begin the great struggle of the papacy with the imperial power for the mastery.¹⁶

summo Pontifice interpellaverunt. Qui ad se convocatis omnibus Italiae Episcopis generalique conventu Basileae habito, eadem imposita corona Patricius Romanorum appellatus est. Deinde cum communi consilio omnium Parmensem Episcopum—elegit Pontificem. At this council at Basel also took place what Petrus Damiani Discept. synodalis (Opp. iii. p. 31), makes the defensor Rom. Ecclesiae relate: Rectores aulae regiae cum nonnullis—Episcopis conspirantes contra Romam Ecclesiam concilium collegistis, quo Papam (Nicolau) quasi per synodalem sententiam condemnastis, et omnia quae ab eo fucrant statuta cassare incredibili prosus audacia praesumpsistis. In quo nimirum non dicam judicio, sed praejudicio id ipsum quoque privilegium, quod Regi predictus Papa contulerat—vacuasti. Those in favor of the kingly power asserted, according to Bonizo, p. 807: Eorum Dominum, ut heredem regni, ita heredem fore patriciatus, so that no particular papal investiture of the latter was needed. Comp. Stenzel's Gesch. Deutschlands unter den fränk. Kaisern i. 203. Annales Allahenses von W. Giesebricht, S. 156. J. Voigt's Hildebrand, S. 54.

¹³ At the synod at Augsburg (Oct. 1062) for which Peter wrote the *Disceptatio synodalis inter Regis Advocatum et Romanae Ecclesiae defensorem* (Opp. iii. 25, ap. Baron. ann. 1062, note 22, ss., Mansi, xix. 1001), in which the relations of that time, and different views, are well explained. At the synod of Mantua (1064, see *Annales Altah. v. Giesebricht*, S. 183) Alexander was generally acknowledged. Honorius remained confined to Parma, but never renounced his claims († 1072).

¹⁴ He refused Henry IV.'s request for a divorce, by his legate Petrus Damiani (Lamberti *Annales ad ann. 1069*, ap. Pertz, vii. 174), then he summoned the archbishops of Mainz and Cologne and the bishop of Bamberg to Rome to answer for simony (Lambertus *ad ann. 1070*).

¹⁵ Lambertus *ad ann. 1073*, ap. Pertz, vii. 194:—Alexander Papa—decessit. Cui Romani protinus inconsulto Rege successorem elegerunt Hildebrandum.—Is quoniam zelo Dei ferventissimus erat, Episcopi Galliarum protinus grandi scrupulo permoveri coeperunt, ne vir vehementis ingenii et acris erga Deum fidei districtius eos pro negligentiis suis quandoque discuteret. Atque ideo communibus omnes consiliis Regem adorti, orabant, ut electionem, quae ejus injussu facta fuerat, irritam fore decerneret; asserentes, quod nisi impetum hominis praevenire maturaret, malum hoc non in alium gravius quam in ipsum Regem redundaturum esset. On this account, Henry sent Count Eberhard to Rome. Hildebrand declared to him, se Deo teste honoris hujus apicem nunquam per ambitionem affectasse, sed electum se a Romanis, et violenter sibi impositam fuisse ecclesiastici regiminis necessitatem: cogi tamen nullo modo potuisse, ut ordinari se permitteret, donec in electionem suam tam Regem quam principes Teutonici regni consensisse certa legatione cognosceret; hac ratione distulisse adhuc ordinationem suam, et sine dubio dilaturum, donec sibi voluntatem Regis certus inde veniens nuncius intimaret. Hoc ubi Regi est renunciatum, libenter suscepit satisfactionem, et laetissimo suffragio ut ordinaretur mandavit.

¹⁶ How completely every thing had hitherto bowed beneath the overbearing spirit of Hildebrand is seen from Petrus Damiani's epigrams († 1072), *de Papa et Hildebrando* (ap. Baron. ann. 1061, no. 34 and 35):—

SECOND CHAPTER.

HISTORY OF THE EPISCOPAL HIERARCHY.

§ 24.

RELATIONS OF THE PRELATES TO THE SECULAR POWER.

Planck's Gesch. d. kirchl. Gesellschaftsverfassung, iii. 411. K. O. Hüllmann's Gesch. d. Ursprungs d. Stände in Deutschland, 2te Augs. Berlin. 1830. S. 219, ff. C. Montag's Gesch. d. deutschen staatsbürgerl. Freiheit, ii. 79. Eichhorn's deutsche Staats u. Rechtsgesch. ii. 58.

The secular power of the prelates had been gradually increasing in the Frank empire, by the acquisition of royal prerogatives in times of disorder,¹ till at length the kings of Germany, espe-

Papam rite colo, sed te prostratus adoro:
Tu facis hunc dominum, te facit ipse Deum.

Vivere vis Romae, clara depromito voce:
Plus domino Papae quam Domno pareo Papae.

Comp. ejusd. Epist. ii. 8, ad Hildebrandum : Tuis cooptis tuisque conatibus semper obtemperare contendi, et in omnibus tuis certaminibus atque victoriis ego me non commilitonem sive pedissequum, sed quasi fulmen injeci. Quod enim certamen unquam coepisti, ubi protinus ego non essem et litigator et judex? Ubi scilicet non aliam auctoritatem canonum, nisi solum tuae voluntatis sequebar arbitrium, et mera tua voluntas mihi canonum erat auctoritas. Nec unquam judicavi, quod visum est mihi, sed quod placuit tibi. Peter's complaints against Hildebrand refer to the refusal of the latter to allow him to lay down his bishopric of Ostia, and retire to solitude. Thus, for instance, the passage, Ep. i. 16 (ap. Baron. ann. 1061, no. 37) : Sed adhuc fortasse blandus ille tyrannus, qui mihi Neroniana semper pietate condoluit, qui me colaphisando demulxit, qui me certo aquilino (ut ita loquar) ungue palpitav, hanc querelus erumpit in vocem : Ecce latibulum petit, et sub colore poenitentiae Romanum subterfugere quererit, accessum lucrari machinatur de inobedientia, et otium caeteris in bella ruentibus.—Sed ego sancto Satanae meo respondeo, quod filii Ruben et Gad Moysi ductori suo respondisse dicuntur : Nos, inquit, armati et accincti pergemus ad praelium ante filios Israel, donec introducamus in loca sua, etc. (Num. xxxii. 17). Hoc itaque modo comitaturus quidem vos arma corripio, sed vobis duce Christo post bella victoribus, mox recedo.

¹ Comp. § 9, note 5. Thus grants conferring privileges connected with markets, coinage, and tolls, and penal judicature, were multiplied. Lewis the Infant, who was especially profuse in his gifts to the clergy (Gatterer Comm. de Ludov. IV. Infante. Götting. 1759. p. 34), first conferred on the abbot of Corvey (900) the bishops of Treves (902, see Böhmer's Regesta Karolorum, S. 115) and of Tongern (908) and others, the privileges of counts (Gatterer, l. c. p. 53). Henry I. A.D. 928, bestows on the bishop of Toul the dukedom and dignity of the city Toul, the first instance of this sort. Böhmer's Regesta v. Conrad I. bis Heinrich VII. S. 3. Thomassinus, P. iii. lib. i. c. 28 and 30. Montag, i. ii. 41, 48; ii. 56. Hüllmann's Gesch. d. Ursprungs d. Regalien in Deutschland. Frankf. l. c. 1806.

cially since the time of *Otto I.*, found it to their advantage to balance the overgrown power of their nobles by transferring to the prelates whole counties as fiefs. By this means, for the present, the dependence of the prelates on the kings was secured.² They were for the most part appointed by the kings;³ had constantly to be installed in office by them;⁴ take the oath of alle-

² Otto I. invested his brother Bruno, archbishop of Cologne, with the dukedom of Lorrain, but merely in his own person. Besides this he bestowed on his newly-founded bishoprics of Magdeburg, Brandenburg, etc., the privileges of a count. In particular, the emperors Otto III. and Henry II. bestowed numerous counties on different churches. See Thomassini *Vet. et nov. eccl. discipl.* P. iii. lib. i. c. 26–32. Montag, ii. 90, 197. Hüllmann's *Gesch. d. Stände*, S. 276. Comp. the old German chronicle in Leibnitii *Introd.* in *script. rer. Brunsvic.* t. i. p. 13, from the times of Otto I.: *Da begunten zuerst die Bischoffe weltliche Richte zu haben, das dauchte damals umbillig manchen Manne.* How such endowments were sometimes obtained may be learned from the *vita Meinwerci Ep. Paderb.* c. 79. (*Leibnit. Script. rer. Brunsv.* t. i. p. 544.) Meinwerk beset the emperor Henry II. to give him the estate Ervete (*curtis Ervete sita in pago Westfalon*), and at length obtained it with the words: “*Tu odium Dei omniumque Sanctorum ejus habeas, qui me bonis concessis cum detimento regni spoliare non cessas.*” Episcopus autem privilegium cum manu in altum exaltans: “*Beatus es,*” ait, “*Henrice, et bene tibi erit, cui pro hac oblatione caelum patebit, cuius anima cum Sanctis sempiterna possidebit gaudia.* Videte omnes populi, considerate fideles universi: talis oblatio peccatorum fit abolitio; hoc sacrificium Deo acceptabile animabus fit propitiabile. Hoc quique fideles pro posse suae facultatis imitari studeant; ut pro temporalibus aeterna, pro transitoriis mansura obtinere valeant.” Other instances of spiritual impudence, such as his wringing from the emperor the gift of a goblet, of an altar-cloth, etc., may be seen in the same work. Still farther, c. 82: Episcopus autem quoddam Imperatoris tegmen egregium, praecipui decoris et mirifici operis pallium, saepenumero obtainere desiderans, effectu caruit; donec quadam die Imperatori pluribus intento illud fortuito rapuit. Imperator vero Episcopum de rapinae incusans vitio talionem debitam suo se tempore redditurum perhibuit: he afterward led him astray by a private alteration in his missal, so that he prayed pro mulis et mulabus instead of famulis et famulabus. On the gifts of Conrad II. see Stenzel's *Gesch. Deutschlands unter den fränk. Kaisern*, ii. 127, during Henry Fourth's minority *ibid.* p. 135, ff.

³ For even the privilege of free choice, which many churches had, was continually subject to the royal confirmation, and hence they were for the most part apparent rather than real. The king often pointed out to the electors the person to be chosen, as Henry II. did Tagino 1004 to be archbp. of Magdeburg (Thietmar, v. 24, ap. Pertz, v. 802), 1012, Wälterd (Thietmar, vi. 44): or he did not confirm a choice, but appointed another, as Henry did in the cases of Meingaud, archbp. of Treves, 1008 (Thietmar, vi. 25) and Himmo abbot of Reichenau (Hermann. *Contractus ad ann. 1006*, ap. Pertz, vii. 118.) At a disputed election in Halberstadt, Otto III. nominated a third as bishop, Arnulf, 995 (Thietmar, iv. 17). None doubted the right of the king. Pope John X. objects to Archbp. Hermann of Cologne that he had consecrated Hilduin, bishop of Tongern, contrary to the will of Charles the Simple, *cum prisca consuetudo vigeat, qualiter nullus alicui clericu episcopatum conferre debeat nisi Rex cui divinitus sceptra collata sunt* (*Mansi, xviii. 320*; cf. Flodoardi *Hist. Eccl. Rhem. ad ann. 920*). Hüllmann, S. 259. Montag, ii. 119. Planck, iii. 406. Hence Sigismund, bishop of Halberstadt, when sick, advises his chaplain Bernhard (A.D. 923), whom he wished to succeed him (Thietmar, i. 12): *vade ad curtem regiam, sumens ex mea parte, quae tibi sint ad haec necessaria, et acquire gratiam et auxilium ibi optime valentium, ut tibi liceat sine omni offensione mihi succedere.* Bernhard follows his advice, *et praedicti Regis (Heinrici I.) munere, quod postulat consequitur.*

⁴ Even as early as Clovis in *Dipl. a. 508* (ap. Bouquet iv. 616): *Quicquid est fisci nostri*

giance to them, like other vassals;⁵ follow them to the wars in times of exigency;⁶ appear frequently at court;⁷ and were often deposed by them.⁸ In this way they drew on themselves the envy

—per annum tradimus. Of Clovis II. 623, it is said in the *vita S. Romani Ep. Rathomag.*: Baculum illi contulit pastorale. In like manner Lewis the German invested with the staff (*vita Remberti*, c. 4, *Act. SS. Febr.* i. 562), and Arnulf (*Adam. Brem.* i. 39), and Otto I. (*Thietmar*, ii. 16). Henry II. gave Walterd the ring as a pledge that he would invest him with the staff (*Thietmar*, vi. 44). So also Conrad II. did to Bardo (*vita Bardonis Archiep. Mogunt.* c. 24, in the *Act. SS. Jun.* ii. 381). The custom of investire per baculum et annulum did not originate till a later time. *Natal. Alex. Hist. eccl. saec. xi. et xii. diss. iv.* Mosheim *Institutt. hist. eccl.* p. 408, note r. Hüllmann, S. 153. Montag, i. ii. 186, ii. 127. Planck, iii. 462.

⁵ These oaths seem to have become customary under Charlemagne. It is true that the *Episcopi apud Carisiacum congregati in Epist. ad Ludov. Reg. Germ. ann. 858 cap. 15* (*Baluzii Capitt.* ii. p. 119) complain of them: *Et nos Episcopi Domino consecrati non sumus hujusmodi homines, ut sicut homines saeculares in vassalatico debeamus nos cuiilibet commendare—aut jurationis sacramentum, quod nos evangelica et apostolica atque canonica auctoritas vetat, debeamus quoquo modo facere.* Manus enim chrismatae sacro peruncta, quae de pane et vino aqua mixto per orationem et crucis signum conficit corpus Christi et sanguinis sacramentum, abominabile est, quicquid ante ordinacionem fecerit, ut post ordinationem episcopatus saeculare tangat ullo modo sacramentum. *Et lingua Episcopi, quae facta est per Dei gratiam clavis caeli, nefarium est, ut, sicut saecularis quilibet, super sacra juret in nomine Domini et Sanctorum invocatione.*—*Et si aliquando sacramenta ab Episcopis exacta aut facta fuerunt, contra Deum et ecclesiasticas regulas, quae Spiritu S. dictatae et Christi sunt sanguine confirmatae, irrita s. Scripturae paginis declarantur, et exigentes atque facientes medicamento exinde salutaris poenitentiae indigent.* But Hinemar, probably the author of this letter, was himself obliged to take the oath a second time, 876, at the *Synodus Pontigonensis* (*Baluz.* ii. 250. Pertz, iii. 533). In proportion as the prerogatives of the prelates were afterward multiplied, those difficulties in the way of taking the oath disappeared. *Thomassini Vet. et nov. eccl. discipl.* P. ii. lib. ii. c. 48. Montag, Bd. 1. Th. 1. S. 180.

⁶ They were even obliged to lead their troops in person. Ex. gr. Gerardus in *vita Udalrici Ep. August.* (in *Mabillon. Act. SS. ord. Bened. saec. v.* p. 416), cap. 3: *Concessum est Udalrico Episcopo, ut Adalberto in ejus vice itinera hostilia cum militia episcopali in voluntatem Imperatoris perageret, et in curte Imperatoris ejus vice assiduitate servitii moraretur.* Hence the prelates regularly accompanied the armies in the tenth century. Hüllmann, S. 272. Montag, ii. 111, 200. Planck, iii. 465. How great the public calls were appears from the fact of the Abbey of Lorch, in the 11th century, having to furnish 1200 men (*cod. Lauresham*, i. 183). It was even usual for them to take part in the battle in person. Thus Liutbert, archbishop of Mainz, fought against the Normans (*Annal. Fuld.* ad ann. 872. Pertz, i. 385); against the Sorabes (l. c. ad ann. 874); finally twice still against the Normans (l. c. ad ann. 883 and 885). Bishop Arno of Würzburg attacked the Slavonians (*Regino ad ann. 892.* Pertz, i. 605), Henry, bishop of Augsburg, with many other bishops, and Werner, abbot of Fulda, 982, the Saracens (*Lambertus*, ap. Pertz, v. 65). Comp. *Thietmar*, ii. 17, ap. Pertz, v. 752. Michael, bishop of Ratisbon, accompanies the Bavarian princes against Hungary. The battle is lost. *Episcopus autem absissa suimet auricula, et caeteris sauciatius membris cum interfectis quasi mortuus latuit.* A Hungarian is about to kill him. *Tunc iste confortatus in Domino post longum mutui agonis luctamen victor hostem prostravit, et inter multas itineris asperitates incolumis notos pervenit ad fines.* Inde gaudium grego suo exoritur, et omni Christum cognoscenti. *Excipitur ab omnibus miles bonus in clero, et servatur optimus pastor in populo, et fuit ejusdem mutilatio non ad dedecus, sed ad honorem magis.*

⁷ Hüllmann, S. 274. Montag, ii. 115, 202.

⁸ The *Conc. Tribur.* ann. 892, c. 10, after the example of the *Conc. Carthag.* i. (see above, § 20, note 5), decrees *ut nullus Episcopus deponatur nisi a xii. Episcopis, Presbyter a sex.*

of the nobility;⁹ and were often, particularly the abbots, defrauded by their bailiffs,¹⁰ and were forced to bestow many church possessions in feudal tenure, which soon after became heritable, in order to obtain men fit for military service.¹¹ Spiritual places were conferred, especially by petty princes in Italy and France, from unworthy motives, or even sold.¹² The kings of Germany

Diaconus a tribus, without specifying the pope as sole judge of bishops according to Pseudo-Isidore. However, even that decree was not by any means adhered to as a form. The bishops were deposed at once by feudal lords for felony. Thus, by Henry II. were deposed the bishop of Asti (Arnulph. Mediol. i. 16), by Conrad II. the archbishop of Milan, and the bishops of Vercelli, Cremona, and Piacenza (Wippo in vita Conradi II. ed. Pistorii, p. 441). The deposition of Arnulph, archbishop of Rheiems (§ 22, note 21), could only have been contested by the pope against a weak prince, and with imperial support. Planck, iii. 443, 467.

⁹ Hüllmann, S. 237. Montag, ii. 17, 79.

¹⁰ Abo, Abbas Floriacensis († 1004), canones, § 2 (in Mabillonii Vett. analecta, p. 135): Defensores Ecclesiarum, qui dicuntur, hodie contra auctoritatem legum et canonum sibi defendant quod fuerat juris Ecclesiarum: sive violentiam Clericis et Monachis ingeendo, res Ecclesiarum seu Monasteriorum usufructuario diripiunt, colouos in paupertatem redigunt, possessiones Ecclesiarum non augent, sed minuant: et quorum defensores esse debuerant, eos vastant. Patet rerum copia cunctis hostibus praedae, nec parant saltem vel verbis obviam ut resistant, qui se putant non jani Advocatos, sed dominos: dum post abscessum hostium consumunt quidquid fuerit residuum. Denique idecirco videmus ecclesiastas destructas, monasteria quaedam diruta, quaedam ad summanam inopiam redacta,—quia multi se ultro offerentes sub aadvocationis obtentu de possessionibus, de redditibus, de oblationibus maximam portionem intercipiunt, quam Ecclesiastici capere debuerant. Hüllmann, S. 250. Montag, ii. 222. Planck, iii. 611.

¹¹ Hincmar Epist. ad Carol. Calv. pro Hincm. Laudunensi (Opp. ed. Sirmond, ii. 324): Porro Episcopus—cum de rebus Ecclesiae propter militiam beneficium donat, aut filiis patrum, qui eidem Ecclesiae profucunt, et patribus utiliter succedere poterunt, quoniam ut quidam scripsit, nisi vitulus nutriatur, bos aratto non jungitur, aut talibus dare debet, qui idonei sunt reddere Caesari quae sunt Caesaris, et quae sunt Dei Deo. A quibus, vel ab eo, qui diu et Ecclesiae utilitatibus ac necessitatibus profuit, et reipublicae ac militiac utilis fuit, et infirmitate vel aetate confectus jam per se ipsum ea exequi non valet, prae cipue autem sibi servientem filium habenti, qui pro eo haec valeat, exequi, si Episcopus beneficium quaecunque occasione abstulerit; non abhorret a ratione, si non accuset Epis copum ad publicos judices, quod non licet, sed ad vos se reclamat de beneficio militiae. Egbert, archbishop of Treves, complains, 981 (Honthemii Hist. Trevir. i. 321): Ipsius Epis copii (Trevirensis) maxima pars militibus in beneficium distributa, ita ut nulli lacorum propria hereditate prodesse possem. Montag, ii. 109.

¹² Comp. Attonis Ep. Vercellensis (about 950) Lib. de pressuris ecclesiasticis (d'Achery Spicileg. i. 414, ss.), p. 421: Irreligiosi principes haec omnia parvipendentes, suum tantummodo in his [electionibus Episcoporum] parant praevalere edictum. Solent etiam admodum indignari, si vel ab aliis aliquis, cuiuscumque meriti sit, Episcopus eligatur, vel si a se electus, cuiuscunque pravitatis sit, ab aliquo reprobetur. Illorum sane, quos ipsi eligunt, vitia, quamvis multa et magna sint, velut nulla tamen reputantur. Quorum quidem in examinatione non charitas et fides vel spes inquiruntur, sed dvitiae, affinitas, et obsequium considerantur. P. 423: Quidam autem adeo mente et corpore obcaecantur, ut ipsos etiam parvulos ad pastoralem promovere curam non dubitent, quos nec mente nec corpore idoneos esse constet. Rident plurimi, alii quasi de infantis honore gaudentes, alii tamen clarum et manifestum praestigium deridentes. Ipse quoque parvulus de aliquibus interrogatus capitulis, quae si preparare poterit memoriter reddet, vel in aliquo tremens leget pittachio, non episcopalem timens perdere gratiam, sed magistri incurrire virgam. (Thus Count Heribert of Vermandois, 925, forced his son, Hugo, five years old

seldomer allowed themselves to incur the guilt of simony, and several of them opposed it,¹³ especially Henry III.;¹⁴ but during the minority of Henry IV., it was practiced by his guardians in a scandalous manner.¹⁵

In France the prelates lost most of their regalia under the Capet family; but still they continued to be as dependent as ever on the kings, whose protection they needed against the attacks of the nobles.¹⁶ Thus the principles which were now

as archbishop on the church at Rheims, and got him confirmed by Pope John X. (Flodoardi Hist. Eccles. Rhem. iv. c. 20.) Hence Atto, p. 427, thus announces the fortunes of the bishops: *Irreligiose eliguntur, inaniter ordinantur, indifferenter accusantur, injuste opprimuntur, perfide dejiciuntur, crudeliter aliquando et necantur: and complains, parte iii. p. 428, moreover of this, quod res ecclesiasticae post mortem vel expulsioneum Episcopi in direptionem et rapinam saecularibus tradantur.*

¹³ Before the battle with the Hungarians, 933, Henry I. vowed (Luitprandi Antapod. ii. 27, ap. Pertz, v. 294): *Simoniaca haeresis Deo invisa,—quae a decessoribus nostris hactenus est temere custodita, modis omnibus a nostro sit regno expulsa.* At the synod held in Ingelheim, 948, in presence of Otto I. (Flodoardi Ann. ad h. a. ap. Pertz, v. 307), tractata sunt quaedam necessaria de—Ecclesiis, quae Presbyteris in partibus Germaniae dabantur, immo vendebantur indebite, et auferebantur a laicis illicite; prohibitumque ac statutum, ne id omnino praesumeretur ab aliquo. On Conrad II. Wippo in vita Conr. II. ap. Pistorius, p. 431: *Civitatem Basileam invenit Rex vacnatam Episcopo.* Ibi simoniaca haeresis subito apparuit, et cito evanuit. Nam dum Rex et Regina a quadam clero, nobili viro, nomine Udalrico, qui ibi tunc Episcopus effectus est, immensam pecuniam pro Episcopatu susciperent, postea Rex in poenitentia motus, voto se obligavit, pro aliquo episcopatu vel abbatia nullam pecuniam amplius accipere.

¹⁴ After he had introduced Clement II. into Italy, who began to oppose simony, he also assembled the German bishops, 1047, made very earnest representations to them about it, and issued the decree (Glaber Radulphus, v. 5), *ut nullus gradus clericorum, vel ministerium ecclesiasticum pretio aliquo conqueriretur; ac si quis dare aut accipere praesumeret, omni honore destitutus, anathemate multaretur.* He added: *Sicut mihi Dominus coronam imperii sola miseratione sua gratis dedit, ita et ego quod ad religionem ipsius pertinet, gratis impendam.* Volo, si placet, ut et vos similiter faciatis. Comp. Stenzel's Gesch. Deutschlands unter d. fränk. Kaisern, i. 117, ii. 130.

¹⁵ Lamberti. Ann. ad. ann. 1063, (ap. Pertz, vii. 166): *Hi duo (Adelbertus Bremensis Archiepisc. et Wernerus comes) pro Rege imperitabant ab his episcopatus et abbatia, ab his quicquid ecclesiasticarum, quicquid saecularium dignitatum est, emebatur: nec alia cuiquam, licet industrio atque egregio viro, spes adipiscendi honoris ullius erat, quam ut hos prius ingenti profusione pecuniarum suarum redemisset.* Et ab Episcopis quidem et Ducibus metu magis, quam religione temperabant. In Abbates vero, quod hi injuriae obviam ire non poterant, tota libertate grassabantur, illud prae se ferentes, nihil minus Regem in hos juris ac potestatis habere, quam in villicos suos, vel in alios quoslibet regalis fisci dispensatores. Et primo quidem praedia monasteriorum fautoribus suis, prout libatum erat, distribuebant, et quod reliquum erat, crebra regalium servitiorum exactione isque ad facies ultimas exhaubiebant. Diendi convalescente audacia, in ipsa monasteria impetum faciebant, atque ea inter se tanquam provincias partiebantur, Rege ad omnia, quae jussus fuisset, puerili facilitate annuente, etc. Ann. 1071, p. 184: *Haec in Ecclesiam introducta est consuetudo, ut abbatae publice venales prostituuantur in palatio; nec quisquam tanti venales proponere queat, quin protinus emtorem inveniat, monachis inter se non de observantia regulae zelo bono, sed de quaestibus et usuris zelo avaro contendentiibus.* Comp. Stenzel. i. 221, ii. 58.

¹⁶ Planck, iii. 489. Hence the royal influence in the occupation of bishoprics continued

spreading, by which the kingly dignity seemed in danger of becoming subject to the bishops, could here remain harmless.¹⁷

§ 25.

PAPAL SUPREMACY.

Planck, l. c. Bd. 3, S. 805, ff.

The ideas promulgated in the Pseudo-Isidorian decretals¹ gradually pervaded the whole Western Church; and the metropolitans, so much injured, must have become reconciled to them

here also. Ibid. S. 405, 408. Striking examples of simony may be seen in *Gallia christiana* (*Opera monach. congreg. S. Mauri*, t. xii. Paris. 1715–1770. fol.) t. i. Append. docum. p. 5, 23, 37, t. ii^o p. 173, 179.

¹⁷ Comp. particularly Gerberti Philos. (afterward Sylvester II.) *sermo de informatione Episcoporum* (this is, according to Mabillon. *Analect.* p. 103, the true title of a work which is quoted so early as Gregory VII. lib. xi. Epist. 2, under the appellation *Ambrosii Pastore*, and which appears in editions of Ambrose's works as *lib. de dignitate sacerdotali*). Among other things we find, cap. 2: *Honor igitur, fratres, et sublimitas episcopalis nullis poterit comparationibus adaequari. Si Regum fulgori compares et principum diademati, longe erit inferius, quam si plumbi metallum ad auri fulgorem compares: quippe cum videoas Regum colla et principum submitti genibus sacerdotam, et exosculatis eorum dextris, orationibus eorum credant se communiri. Quid jam de plebeja dixerim multitudine, cui non solum praefterri a Domino meruit, sed ut cam quoque jure tueatur patrio, praeceptis imperatum est evangelicis?* The passage Ep. Gelasii P. ad Anastasium Imp. was chiefly relied on, which passage the Paris council had already produced. See above, § 7, note 25: *Duo quippe sunt, Imperator Auguste* (instead of this appears also the falsified reading: *Duae quippe sunt Imperatrices augustae*, see Baluz. *Capitul.* ii. 1213), *quibus principaliter mundus hic regitur, auctoritas sacra Pontificum, et regalis potestas. In quibus tanto gravius est pondus sacerdotum, quanto etiam pro ipsis Regibus Domino in divino redditu sunt examine rationem.* On this comments Conc. apud s. Macram, a. 881, cap. 1 (Mansi, xvii. 538): *Sicut in sacris legimus literis, duo sunt, quibus, as above, till regia potestas. Solus enim Dominus noster J. C. vere fieri potuit Rex, et sacerdos. Post incarnationem vero—ejus nec Rex Pontificis dignitatem, nec Pontifex regiam potestatem sibi usurpare praecepsit: sic actionibus propriis dignitatibusque ab eo distinctis, ut et christiani Reges pro aeterna vita Pontificibus indigerent, et Pontifices pro temporalium rerum cursu Regum dispositionibus uterentur. Et tanto est dignitas Pontificum major quam Regum, quia Reges in culmen regium sacrantur, a Pontificibus, Pontifices autem a Regibus consecrari non possunt: et tanto gravius pondus, as above, till rationem.* Conc. Trostjan. a. 909, cap. 1 (Mansi, xviii. 267): *Sicut enim regalis potestas sacerdotali religioni se devote submittit: sic et sacerdotalis religioni se devote submittit: sic et sacerdotalis auctoritas cum omni pietatis officio se regali dignitatibus subdere debet, sicut sanctus ostendit P. Gelasius ad Anastasium scribens Imp. "Duo sunt—rationem." Ergo quia et Rex pro aeterna vita indiget Pontificibus, et Pontifices pro temporalium rerum cursu regali indigent dispositionem: a Rege obediendum est Pontificibus, recta, sancta et justa suadentibus et vicissim a Pontificibus obediendum est Regi, pietatis cultui religione jure et solatio servienti.* Source of the notion that the regal dignity was conferred by the unction. See § 6, note 14.—Comp. Planck, iii. 477.

¹ Comp. § 20, note 8.

the more readily, as their own power began to be traced to their investment with the pallium,² while the latter was bestowed, since the time of Nicolaus I., only under the condition of the receivers vowing obedience on oath to the Romish institutions.³ The decretals designated the pope as universal bishop of the Church—an idea as yet obscure and undeveloped—but on this account the more dangerous—constantly stimulating the papal ambition, misleading weak men and abused by the bad.⁴ That

² This had its source from the ancient custom of confirming the metropolitans in their office sive per manus impositionem, sive per pallii dationem episcopalis dignitatis firmitatem accipiunt (conc. Constant. Oecum. viii. A.D. 869, can. 17). This patriarchal relation was now transferred to all metropolitans of the West. First Nicolaus I. in *Respons. ad consulta Bulgarorum*, c. 73 (Mansi, xv. 426): [Archiepiscopum] Episcopi, qui ab obeunte Archiepiscopo consecrati sunt, simul congregati, constituant: sane interim in throno non sedentem, et praeter, corpus Christi non consecrantem, priusquam pallium a sede Romana percipiat, sicuti Galliarum omnes, et Germaniae, et aliarum regionum Archiepiscopi agere comprobantur. In like manner Johannes VIII. in Ep. 94 ad Rostagnum Archiepisc. Arelat. A.D. 878 (Mansi, xvii. 81), and in *Syn. Ravennensi*, a. 877, can. 1 (see above, § 21, note 30. Can. i. and ii. of this synod were soon ascribed to old popes: by Petrus Damiani, l. 7, Ep. 4, Burchard and others to Damasus; by Ivo and Gratian, P. i. dist. c. can. 1, to one Pelagius. It is remarkable that even Bochmer has not observed the *ψεῦδος*. See Jod. le Plat. *Diss. de spuris in Gratiano Cann.* P. iii. sec. ii. c. 12, § 2). A notable proof that, though this view did not immediately become general in the church, the bishops were notwithstanding already accustomed and prepared to receive with implicit belief hitherto unknown privileges of the Roman see, is given by Fulbert Episc. Carnotensis († 1028) Ep. 47, ad Archiepisc. Turon. (Bibl. Max. PP. xviii. 17): Si pallium requisistis a Romano Pontifice, et ipse vobis illud sine causa legitima denegavit, propter hoc non est opus dimittere ministerium vestrum: at si vestra tarditate nondum est requisitum, cautella est exspectare donec requiratur, ne vos ex improviso praesumptionis arguere possit. Continentur enim quaedam reverenda nobis in privilegiis Romanae Ecclesiae, quae propter negligentiam nostram non facile inveniuntur in armariis nostris. Cf. Pertsch de Origine et auctoritate pallii archiepiscopal. Helmst. 1754. 4. p. 145, ss. On the cost of the pallium see Canuti Regis Ep. ad Anglorum proceres, written from Rome, A.D. 1027 (Mansi, xix. 499): Conquestus sum iterum coram domina Papa, et mihi valde displicere dixi, quod mei Archiepiscopi in tantum angariabantur immensitate pecuniarum, quae ab eis exspetebantur, dum pro pallio accipiendo secundum morem apostolicam sedem experterent: decretumque est ne id deinceps fiat. It was the custom to fetch the pallium in person from Rome, Thomassini Eccl. disc. P. i. lib. ii. cap. 57, no. 4. Pertsch, p. 222, ss.

³ See above, § 21, note 19.

⁴ Comp. conc. Triburiense under Hatto, archbishop of Mainz, a. 895, c. 30 (Mansi, xviii. 147, d'Achery Spicileg. iii. 850): In memoriam b. Petri Apostoli honoremus s. Romanam et apostolicam sedem, ut quae nobis sacerdotalis mater est dignitatis, esse debeat magis tra ecclesiasticae rationis. Quare servanda est cum mansuetudine humilitas, ut licet vix ferendum ab illa s. sede imponatur jugum, tamen feramus, et pia devotione toleremus. Si vero, quod non decet, quilibet, sive Presbyter, sive Diaconus, aliquam perturbationem machinando, et nostro ministerio insidiano, redarguatur falsam ab Apostolico detulisse epistolam, vel aliud quid, quod inde non convenerit, salva fide et integra circa Apostolicum humilitatem, penes Episcopum sit potestas, utrum eum in carcерem, aut in alieni detractur custodian, usquequo per epistolam, aut per idoneos suaे partis legatos apostolicam interpellat sublimitatem, ut potissimum sua sancta legatione dignetur decernere, quid de talibus justo ordine lex Romana statuat diffinire, ut et is corrigatur, et caeteris modus imponatur.

the popes alone were judges of bishops, was an idea not at all recognized :⁵ their interference in the government of the dioceses of bishops was universally disapproved,⁶ sometimes expressly repelled.⁷ It was characteristic of the rude time to suppose, that the high priest in Rome could interfere in the name of the divine law, where the human was too weak or insufficient ;⁸

⁵ See above, § 24, note 8. The synod of Altheim, A.D. 916, decrees respecting complaints against bishops, c. 13 (Pertz, iv. 566), *ut accusatus vel judicatus a comprovincialibus in aliqua causa Episcopis licenter appellet et aeat apostolicac sedis Pontificem.*

⁶ Comp. Caroli Calvi Const. ann. 878, above, § 21, note 32. Farther the narrative of Glaber Radulph. ii. c. 4 (Bouquet, x. 15) : A certain count, Fulco, of most abandoned character, for whom Hugo, archbishop of Tours, would not consecrate a church in honor of the cherubim and seraphim (about 1007) copiosa argenti et auri assumta pecunia Romana pergens Johanni P. causam suae profectio[n]is exposuit : ac deinde reportans quod ab illo optaverat, plurima ei munera dona obtulit. Qui protinus misit cum eodem Fulcone ad praedictam Basilicam sacratam unum ex illis, quos—Cardinales vocant, nomine Petrum, cui etiam praeecepit, veluti Romani Pontificis auctoritate assumta, quicquid agendum Fulconi videbatur, intrepidus expleret. Quod utique audientes Galliarum quique Praesules—pariter detestantes, quoniam nimium indecens videbatur, ut is, qui apostolicam regebat sedem, apostolicum primitus ac canonicum transgrediebatur tenorem : cum insuper multiplici sit antiquitus auctoritate roboratum, ut non quispiam Episcoporum in alterius Dioecesi istud praesumat exercere, nisi Praesule, cuius fuerit, complerente seu permittente. Licet namque Pontifex Romanae Ecclesiae ob dignitatem apostolicae sedis cateris in orbe constitutis reverentior habeatur non tamen ei licet transgredi in aliquo canonici moderaminis tenorem. Sicut enim unusquisque orthodoxae Ecclesiae Pontifex, ac sponsus propriae sedis uniformiter speciem gerit Salvatoris, ita generaliter nulli conuenit quippiam in alterius procaciter patrare Episcopi dioecesi. The narrative is indeed rectified from documents by de Marca, lib. 4, c. 8, § 2 : but Glaber's judgment always remains a notable testimony in favor of the views of that time.

⁷ Chronicon Urspergense ad ann. 1052: When Leo IX. was in Worms, and Leutpold, archbishop of Mainz, read mass, the diaconus sang the lesson in the German manner. The pope, quia Romano more non agebatur, commanded him to cease. The deacon did not allow himself to be interrupted, et lectionem usque ad finem perduxit. Qua finita Papa illum ad se vocavit, et quasi pro inobedientiae contumacia degradavit. Archiepiscopus vero misit ad illum, ut suum sibi redderet ministram. Quod ubi Papa abnuit, Pontifex, ut erat antique disciplinae, licet agre patienter tamen interim tacendo sustinuit. But when he should have continued the mass, in sede sua resedit, vere contestans, nec se, nec alium quempiam completetur illud officium, nisi reciperet processionis suae ministram. Quod ubi Apostolicus intellexit, Pontifici cessit, reindutumque ministram continuo remisit. Quo recepto, debito se praesul injunxit officio. Qua in re et Pontificis auctoritas, et Apostolici consideranda est humilitas: dum et ille officii sui dignitatem defendere contendebat, et iste licet majoris dignitatis, Metropolitano tandem in sua dioecesi cedendum perpendebat.

⁸ Pope Hadrian II. was required by the emperor, Lewis II., to release him from a forced oath made to the Prince of Beneventa Adalgisus (Annales Hincmari, ad ann. 871, ap. Pertz, i. 493), and John VIII. loosed him (Regino ad ann. 872, l. c. p. 584). The emperor Charles the Corpulent, invited to him Pope Hadrian III. (Annal. Fuldens. ad ann. 885, ap. Pertz, i. 402) : Voluit enim, ut fama vulgabat, quosdam Episcopos irrationabiliter deponebant, et Bernhardum, filium suum ex concubina, heredem regni post se constituere; et hoc, quia per se posse fieri dubitavit, per Pontificem Romanum quasi apostolica auctoritate perfidere dispositus. Hatto, archbishop of Mainz, wrote to Pope John IX. A.D. 900 (Mansi, xviii. 203), that in place of the deceased emperor Arnulf, his son, Lewis, seven years old, had been chosen, and explains in a tone of exculpation, cur

that, moreover, he could impart the most efficacious blessing,⁹ and give the most effectual absolution for sins.¹⁰ The bishops, on the other hand, maintained, they alone could exercise the ecclesiastical power of the keys in their dioceses.¹¹

hoc sine vestra jussione et permissione, factum sit. Then he adds: Quia tandem occasio et tempus advenit, quo nostra epistola vestris obtutibus praesentaretur; rogamus, nostram communem constitutionem vestrae Dominationis benedictione roborari. In the year 916 the synod held at Altheim (Pertz, iv. 555): Praesente domini Joannis Papae apocrisiario Petro,—missō ad hoc, quatenus aliquo modo diabolica semina in nostris partibus orta extirpare et nefandissimas machinationes quorundam perversorum hominum sedare et eliminando purgare deberet. The decrees of the synod had for their object, partly the protection of the church, partly the confirmation of the kingly authority. Under more powerful emperors, as the Ottos, the circumstances were reversed, and then the old imperial rights over the popes were again prominently adduced.

⁹ Auxilius (about 894) de Ordinationibus Formosi Papae (libb. ii. Bibl. PP. t. xvii. p. 1), lib. i. c. 29: Qui de longinquis terrarum spatiis per mille, ut ita dicam, discrimina, tremebundi ad apostolicam sedem profecti sunt, et sacram ordinationem, ut moris est, magis ab Apostolo Petro, quam ab ejus vicario suscepérunt.

¹⁰ Nicolai I. Ep. 20, ad Carol. Calv. ap. Mansi, xv. 280: Ad hanc sanctam Romanam—Ecclesiam—de diversis mundi partibus quotidie multi sceleris mole oppressi configiunt, remissionem scilicet, et veniale sibi gratiam tribui supplici et ingenti cordis moerore poscentes (Ep. 21: et ab ea non solum animae, sed et corporis salvationem—humili prece suspicere precantur). When Hatto, in the letter quoted note 8, announced to Pope John IX. the death of the emperor Arnulph, he also added: Quod, quamdiu in hoc mundo subsistimus, per incerta ferimur, nescientes ubi quorundam animae post hanc lucem mansionem recipient; vestris quasi provoluti vestigiis subnixe poscimus, ut animam ipsius vestrae auctoritatis potestate a vinculis peccatorum absolvatis, quia “quaecunque solveritis super terram, erunt soluta in caelo.”

¹¹ Conc. Salegunstadiense (held in the year 1022, under the presidency of archbp. Aribō of Mainz), cap. 18 (Mansi, xix. 398): Quia multi tanta mentis suae falluntur stultitia, ut in aliquo capitali criminē inculpati poenitentiam a sacerdotibus suis accipere nolint, in hoc maxime confisi, ut Romam euntibus Apostolicus omnia sibi dimittat peccata: sancto visum est concilio ut talis indulgentia illis non prosit, sed prius juxta modum delicti poenitentiam sibi datam a suis sacerdotibus adimplent, et tunc Romam ire si velint, ab Episcopo proprio licentiam et literas ad Apostolicum ex iisdem rebus deferendas accipiunt. Conc. Lemovicense, a. 1031, sessio ii. (Mansi, xix. 546). Complaints of some qui ignorantibus Episcopis suis a Romano Papa poenitentiam et absolutionem accipiunt:—dum quos isti juste ligant, ille injuste absolvit. So one Count Stephen excommunicated by his bishop, Romae a domino Papa absolutionem accepit, ignorante Papa eum excommunicatum. The bishop complaining of this, received for answer from the pope, “Quod nescienter egi, frater carissime, non mea, sed tua est culpa. Scis enim, quis quicunque de universa Dei Ecclesia —ad me causa remedii recurrit, impossibile est mihi ejus causam negligere, dicente Domino ad b. specialiter Petrum: ‘Petre, pasce oves meas.’ Debueras certe mihi—ejus causam tuis innotescere apicibus, et ego omnimodo abjiccrem. Profitor quippe omnibus consacerdotibus—adjutorem me et consolatorem potius esse, quam contradictem. Absit enim schisma a me et a Coépiscopis meis. Itaque illam poenitentiam et absolutionem, quam tuo excommunicato ignoranter dederam, irritam facio et cassam.” Another excommunicated person had gone to Rome, Papae Romano subripuit poenitentiae legem, carrying with him letters, quibus Episcopum rogabat Apostolicus, quatenus illi poenitentiam, quam imposuerat, affirmaret. To them the bishop answered: Versa vice, quod ego postulare debueram ab Apostolico, Apostolicus postulat a me. Non credere possum hoc mandatum ab eo exortum: hoc tibi nihil utile est: et donec aut a me, vel ab hujus sedis Archidiacono, me jubente, accipias poenitentiam, permane in excommunicatione. There upon the synod determines: Parochiano suo Episcopus si poenitentiam imponit, eumque

The papal pretensions met with the greatest opposition from the archbishops of Upper Italy, especially of Milan.¹² The Church of Milan, indeed, had been compelled, A.D. 1059, to recognize in form the Roman supremacy ;¹³ but still, aversion to the hierarchy of Rome continued for a long time, and every opposition made to that hierarchy found advocates there for a considerable period.¹⁴

Papae dirigit, ut judicet, utrum sit an non poenitentia digna pro tali reatu : potest eam confirmare auctoritas Papae, aut levigare, aut superadjudicere. Judicium enim totius Ecclesiae maxime in apostolica Romana sede constat. Item si Episcopus parochianum suum cum testibus vel literis Apostolico ad poenitentiam accipiendam direxerit, ut multoties pro gravissimis fieri solet reatibus, in quibus Episcopi ad dignam haesitant poenitentiam impoundam : hic talis licenter a Papa remedium sumere potest. Nam inconsulto Episcopo suo, ab Apostolico poenitentiam et absolutionem nemini accipere licet. Comp. Planck, iii. 684.

¹² Schmidt's Kirchengesch. Th. 5, S. 4, ff.

¹³ The party forming in Milan since 1056 against the married priests, at the head of which stood Arialdus and Landulphus, were anxious for their own ends to make the Milanese church as dependent as possible on Rome. Comp. the contemporary works Arnulphi Mediol. Rerum sui temporis libb. v. (in Muratori Rer. Ital. scriptt. t. iv. p. 11) and Landulphi senioris Mediolanensis Historiae libb. iv. (ibid. p. 47, ss.)—Cf. Arnulph. iii. c. 11 : Romam proficiscitur Arialdus apologeticas ferens literas. Ubi cum Ambrosianum accusaret clerum, affirmans omnes Nicolaitas et Simoniacos, ac prorsus inobedientes Romanae Ecclesiae, se autem cum Landulpho devotum, et pro sola veritate certantem, Romanorum celeriter adeptus est gratiam. Qui cum principari appetant jure apostolico, videntur velle dominari omnium, et cuncta suae subdere ditioni, cum Doctor evangelicus suos doceat humilitatem Apostolos dicens : “Reges gentium dominantur corum—vos autem non sic; sed qui major est in vobis, fiat sicut minor, etc.” (Luc. xxii. 25, 26). In particular, the general opinion became prominent when Petrus Damiani and Anselm, bishop of Lucca, appeared in 1059 as papal legates. Of the following transactions a complete account is furnished by Petrus Damiani Opusc. v. to Hildebrand (Opp. iii. p. 37, ap. Muratori, l. c. p. 25, ss. Mansi, xix. p. 887, ss.) As soon as they arrived, repente in populo murmur exoritur, non debere Ambrosianam Ecclesiam Romanis legibus subjacere, nullumque judicandi vel disponendi jus Romano Pontifici in illa sede competere. Nimis indignum, inquietum, ut quae sub progenitoribus nostris semper extitit libera, ad nostrae confusione opprobrium nunc alteri, quod absit, Ecclesiae sit subjecta. A tumult ensued, but Archbishop Guido submitted, and the Romish legates triumphed. On this Arnulph. iii. c. 13 : O insensati Mediolanenses, quis vos fascinavit? Heri clamantis unius sellae primatum. Hodie confunditis totius Ecclesiae statum, vere culicem liquantes et camelum glutientes. Nonne satius vester hoc procuraret Episcopus? Forte dicetis: Veneranda est Roma in Apostolo. Est utique: sed nec spernendum Mediolanum in Ambrosio. Certe, certe nou absque re scripta sunt haec in Romanis annalibus. Diceter enim in posterum subjectum Romae Mediolanum. Ecce Metropolitanus vester prae solito Romanam vocatur ad Synodus, etc.

¹⁴ So the schism of Cadolus. See above, § 23, note 12; see Annales Altah. v. Giese brecht, S. 189; so too Henry IV. against Gregory VII.

§ 26.

RELATIONS OF THE BISHOPS TO THE CLERGY OF THEIR DIOCESES.

As the bishops became more involved in secular business, they neglected the spiritual care of their dioceses, and thus lost in proportion the completely monarchical power they had once exercised in them. *The chapters*, after the example of the chapter of *Cologne* (864),¹ received the independent right of managing their own property, and then gradually discontinued their canonical life,² after the example of the chapter at *Treves*.³

¹ The confirmation of the ordinatio Guntharii Archiep. Colon. issued on this subject by King Lothaire, A.D. 866 (from the 11th year of King Lothaire, not of the emperor, therefore not 853 as Mastiaux has), see in Mastiaux Diss. exhibens historiam turni Ecclesiarum collegiat. Coloniens. Bonnae. 1786. 4. App. p. 1. (Gunthar probably wished, after his Roman deposital, see § 21, note 8, to bind his clergy more firmly to himself by that arrangement, see Gfrörer, iii. ii. 994, 998.) The same arrangement is confirmed by the concil. Colon. a. 873, under Archbp. Wilibert (Mansi, xvii. 275): Guntharius—monasteriis—ac canonice in eis commorantibus sumtuum suorum necessaria habenda delegavit atque contradidit: quatenus deinceps videlicet—perpetualiter inde consistere quivisset absque alicujus sumtus indigentia. Praeterea—illis concessit atque donavit, ultra licitum fore cum secura potestate et libero arbitrio inter se ordinare et facere tam de sua electione, quam de omnibus suis rebus absque ejus consulto et imperio; similiter—decrevit, ut Praeposito in sibi subjectis nullus nec prelatione nec potestate superponeretur, sed idem potius in ambobus super omnes praestantissimus haberetur, ac insuper corundem subjectorum res communes—ipse solus cum consilio prudentum benevolentiumque fratrum gubernans—dispensaret.—Lege sancivit, ut nullus unquam Pontifex sine illorum conscientia sive consensu de ipse substantia minimam unquam praebendam alicui per potentiam tribueret, aut item—quidquam eis per potentiam sive per aliquam vim destrueret;—hoc illis quasi in jus hereditarium firmiter concedens, quatenus quisque illorum, sive nobilis sive ignobilis esset, usque in sempiternum liberum haberet arbitrium, suam mansionem cum caeteris quibuscumque rebus donare, seu etiam tradere cuicunque suo confratri voluissest post obitum suum possidendam absque ullius Episcopi consultu sive contradictione. By degrees this ordinance was every where imitated, in many places very late. In Rätzeburg the division of goods between bishop and chapter first took place 1194, s. Westphalen Monum. rerum Germ. praecc. Cimbricarum, iii. 2050, in Lyons about the year 1200. See Gallia Christiana, iv. 134. Planck, iii. 641.

² Ivo Episc. Carnotensis (about 1092) Epist. 215: Quod vero communis vita in omnibus Ecclesiis paene defecit, tam civilibus quam dioecesanis, nec auctoritat, sed desuetudini et defectui adscribendum est, refrigescente charitate, quae omnia vult habere communia, et regnante cupiditate, quae non quaerit ea, quae Dei sunt ex proximi, sed tantum quae sunt propria. At the end of this period there were new attempts to re-introduce the canonical life, conc. Rom. a. 1059 (ap. Mansi, xix. 908), and conc. Rom. a. 1063, cap. 4 (ib. p. 1025), etc. (Cf. Thomassini Vet. et nov. eccl. discipl. P. i. lib. iii. c. 11.—P. iii. lib. ii. c. 23, no. 2.)

³ Trithemii Chron. Hirsau. ad h. a. (ed. St. Galli. 1690. t. i. p. 116): Hoc tempore Heinrico, Trevirorum Archiepiscopo, mortuo Theodericus de Moguntia successit, sub quo Canonici majoris Ecclesiae S. Petri—abjecta pristinæ conversationis norma desierunt esse

(973). *The chapters*,⁴ and also the *archdeacons*,⁵ acquired certain rights in the management and rule of the dioceses. The benefices of the parochial clergy were now fully fixed on an unalterable basis.⁶

THIRD CHAPTER.

HISTORY OF THEOLOGICAL AND RELIGIOUS-MORAL CULTURE.

§ 27.

ITS STATE IN THE TENTH CENTURY.

Cramer's *fünfte Forts.* von Bossuet, or Th. 5, Bd. 2, S. 185, ff.

During the civil commotions which ensued on the partition of the great Frank empire, and the gradual disuse of the Latin tongue,¹ all science sank into decay, and a general barbarism prevailed, which characterizes the tenth century in particular.² Unworthy persons took possession of the higher ecclesiastical situations, in order to vie with the nobles in rapacity and voluptuousness.³ The grossest ignorance of religious subjects,

regulares, distributionibus inter se factis praebendarum: et qui prius more Apostolorum omnia habuere communia, cooperunt jam deinceps singuli possidere propria. Quorum exemplum postea secuti plures Canonici sicut S. Paulini apud Treviros, S. Castoris in Confluentia, SS. Martini et Victoris Moguntiae, in Wormatia quoque et Spira de communi ad propriam vitae rationem descederunt. With the former account agree also the *Gesta Trevirorum* (ed. Wyttensbach et Müller, vol. iii. Aug. Trev. 1836. 4), i. 111: Sub eodem Pontifice regulares Canonici in Ecclesia S. Petri esse desierunt. At first they only began to live separately, but still ate together; for in a document of Archbp. Poppo, A.D. 1017 (in Günther Cod. dipl. Rheno-Mosell. i. 121), they are still designated as *fratres cottidie manducantes in refectorio*.

⁴ Planck, iii. 749.

⁵ Thomassini P. i. lib. ii. c. 19 and 20. Planck, iii. 708.

⁶ Thomassini P. iii. lib. ii. c. 8, 18, 19, 24. Planck, iii. 650, 776.

¹ Dietz, Gramm. d. roman. Sprachen, i. 74, 82. Bähr's Gesch. d. röm. Liter. im karoling. Zeitalter, S. 59.

² Baronius ad ann. 900, no. 1: *Novum inchoatur saeculum, quod sui asperitate ac boui sterilitate ferreum, malique exundantis deformitate plumbeum, atque inopia scriptorum appellari consuevit obscurum.* Gatterer de Gunzone Italo ad illustrandum rei literariae statum saec. x. Gottingae: 1756. 4. On the other hand, du Pin Nouv. bibl. des. aut. eccl. siècle 10, pr. p. 1, Leibnitius in *praef. ad Cod. juris nat. et gentium diplom.*, and Semler Hist. eccl. vel. capita ii. 526, would prefer the 10th century to the 12th and 13th. But comp. Mabillon. *Act. SS. ord. Ben. saec. v. praef. p. 2.* Hist. lit. de la Fr. vi. 1. Cramer, t. c. Heeren's *Gesch. d. class. Literatur im Mittelalter*, i. 190. Bähr, S. 49.

³ Comp. § 24.

and, as the effect of it, the rudest immorality, prevailed among the clergy,⁴ as well as the people.⁵ This was worst of all in Italy,⁶ where *Ratherius*, bishop of Verona († 974), was at last

⁴ Ex. gr. *Ratherii Itinerarium* (in d'Achery Spicil. i. 381): *Sciscitatus itaque de fide illorum (clericorum Veronensium) inveni plurimos neque ipsum sapere symbolum, qui fuisse creditur Apostolorum.* Hac occasione Synodican scribere omnibus Presbyteris sum compulsus, etc. In this *Synodica* (ibid. p. 376, ss.) it is said, among other things: *Ipsam fidem—trifarie parare memoriae festinetis, h. e. secundum symbolum—Apostolorum,—et illam quae ad Missam canitur, et illam S. Athanasii, quae ita incipit: "Quicumque vult salvus esse."* *Quicumque vult ergo sacerdos in nostra parochia esse, aut fieri, aut permanere, illa, fratres, memoriter nobis recitet, cum proximo a nobis hoc vocatus fuerit.* Moneo et jam vos de die dominico ut cogitatis aut si cogitare nescitis, interrogetis, quare ita vocetur,—ut unusquisque vestrum, si fieri potest, expositionem symboli et orationis dominicæ juxta traditionem orthodoxorum penes se scriptam habeat, et eam pleniter intelligat, et inde, si novit, praedicando populum sibi commissum sedulo instruat; si non, saltem teneat vel credat. *Orationes Missæ et canonem bene intelligat, et si non, saltem memoriter ac distincte proferre valeat.* *Epidotiam et Evangelium bene legere possit, et utinam saltem ad literam ejus sensum posset manifestare, etc.* Cf. *Baluzii not. ad Reginonem*, p. 540. To what extent the morals of the clergy were corrupted may be seen from the catalogue of crimes committed by Hugo, bishop of Langres, in conc. Rhem. a. 1049 (*Mansi*, xix. 739).

⁵ Conc. Troslejan. a. 909. Praef. (*Mansi*, xviii. 265): *Iniquitates nostræ multiplicatae sunt super caput, et delicta nostra creverunt usque ad caelos.* *Fornicatio et adulterium, sacrilegium et homicidium inundarunt, et sanguis sanguinem tetigit.* *Sanguis quippe sanguinem tangit, cum peccator malis suis gravius aliquod malum adjungit—sed in pejus quotidie proficit,—posthabito humanarum vel divinarum legum timore, contemtis edictis episcopalis, unusquisque quod vult agit: potentior viribus infirmiores opprimit, et sunt homines sicut pisces maris, qui ab invicem passim devorantur: ac calcata iniquitate abundat ac convalescit iniquitas.* *Hinc est quod videmus per totum mundum rapinas pauperum, deprædationes rerum ecclesiasticarum.* *Hinc sunt assidue lacrymae, pupillorum luctus, etc.* Denique ne nobis parcere videamur, qui aliorum errata corrigere debemus, Episcopi dicimur, sed episcopale officium non implemus. Ministerium prædicationis relinquimus: eos, qui nobis commissi sunt, videmus Deum deserere, et in pravis actibus jacere, et tacemus, etc. Cap. xv. (p. 305): *Heu, proh dolor! nostris nostrorumque co-ministrorum, et qui jam discesserunt, et qui adhuc supersunt, tam incuria quam inscientia perdi vitiis multi, et paene innumerabiles adhuc inveniuntur in plebe ecclesiastica,—qui ad usque sua tempora senectutis necdum, ut debuerant, perceperent fidei notitiam simplicis, usque adeo ut nec ipsius symboli verba salutaris, nec saltem supplicationem dominicæ noverint orationis.* Glaber Radulph. iv. 5, relates how a great famine, 1033, had produced a general penance: *Tunc primitus copercere—coadunari conciliorum conventus, ad quos etiam multa delata sunt corpora Sanctorum.* *Quod etiam tota multitudo universæ plebis audiens, lactanter adiere maximi, mediocres ac minimi, parati cuncti obedire, quicquid præceptum fuisset a pastoribus Ecclesiae.* But with the extremity ceased also their penitence. Nam ipsi Primates utriusque ordinis in avaritiam versi, cooperunt exercere plurimas, ut olim fecerant, vel etiam eo amplius, rapinas cupiditatis: deinde mediocres ac minores exemplo majorum ad immania sunt flagitia devoluti. Quis enim ut quam antea tantos incestus, tanta adulteria audiverat, etc.—impletum est Prophetæ vaticinium, quod ait: “*Et erit sicut populus sic sacerdos*” (Es. xxiv. 2), etc.

⁶ Comp. § 23, note 2. So *Ratherius de Conteintu cann. P. ii.* (d'Achery Spicil. i. 354): *Quaerat et aliquis, cur præ caeteris gentibus baptismio renatis, contemtores canonicae legis et vilipensores clericorum sint magis Italici.* Quoniam quidem libidinosiores eos et pigmentorum Venerem nutrientium frequentior usus, et vini continua potatio, et negligenter disciplina facit doctorum: unde ad tantam consuetudo et majorum eos exempla jam olim impulerunt impudentiam, ut solummodo barbirasio, et verticis cum aliquantula **vestium** dissimilitudine nudo, et quod in Ecclesia cum negligentia agunt non parva, unde

forced to yield to the general corruption which he had ineffectually combated.⁷

The religious ignorance of the times is plainly illustrated in the anthropomorphism of the clergy of Vicenza,⁸ attacked by Ratherius. The consciousness of their own corruption betrays itself in the expectation which was becoming universal in the tenth century, that the end of the world was at hand.⁹

tamen affectant magis placere mundo quam Deo, a ritu distare eos videoes laico. Gerberti Epist. 40, ad Stephanum Rom. Eccl. Diaconum (in du Chesne Scriptt. Franc. ii. 798): Tota Italia Roma mihi visa est. Romanorum mores mundus perhorrescit.

⁷ His writings (especially de Contemtu canonem, partes ii.; Apologia sui ipsius: de Discordia inter ipsum et clericos; Liber apologeticus; Itinerarium Ratherii Romani euntis; Sermones; Epistolae) collected in d'Achery Spicileg. i. 345. To these add Prae-loquiorum libb. vi. in Martene et Durand Ampl. coll. ix. 785. Opera emendata et ineditis aucta: cur. Petr. et Hier. fratr. Baleriniis. Verona. 1765. fol. Comp. Hist. liter. de la France, vi. 339. Engelhardt's kirchengesch. Abhandl. Erlangen. 1832. S. 295. Bähr's Gesch. d. röm. Liter. im karoling. Zeitalter, S. 546. Rather par Gantrel, in the Nouvelles archives historiques, philos. et litter. par MM. Hane, Huet, Lenz et Mone. Gand. 1837. 8.

⁸ Ratherii Serm. i. de quadragesima (d'Achery, i. 388): Nudius enim tertius quidam nostratium retulit nobis, Presbyteros Vicentinae dioecesis, nostros utique vicinos, putare corporeum Deum esse: hac siquidem occasione inductos, quod in Scripturis legatur: "Oculi Domini super justos et aures ejus in preces eorum, etc." (Ps. xxxiii. 16, then Job x. 8. Gen. i. 26). Quod cum nos non modice permovisset, proh nefas! nobis commisso gregi eandem adeo comprimeris perfidiam inhaesisse, ut facto de periculo in populo sermone, et spiritum esse Deum—approbato, quidam, heu dolor! nostrorum murmurando dicerent etiam sacerdotum: Quid modo faciemus? Usque nunc aliiquid visum est nobis de Deo scire, modo videtur nobis, quod nihil omnino sit Deus, si caput non habet, etc. (Comp. Vol. I. Div. II. § 95, note 36). Idola tibi in corde coepisti stultissime fabricare, immensitasque Dei oblitus, magnum quandam quasi Regem in throno aureo videlicet sedentem depingere, militiam Angelorum quasi quosdam homines alatos, ut in parietibus soles videre, vestibus albis induitos ei assistere, etc. Secunda, inquit, feria Michaël Archangelus Deo Missam celebrat. O caeca dementia, etc. And he was even compelled to defend himself for thus finding fault with them. Contra reprehensores sermonis ejusdem (ibid. p. 391): Non dicit Ratherius, quod Deus Dei filius, Dominus noster J. Ch.—non habeat caput, oculos, manus, et pedes, etc. Non dicit Ratherius, quod malum faciat, qui vadit ad Ecclesiam S. Michaëlis, aut audit Missam S. Michaëlis, sed dicit Ratherius, quod mentitur ille, qui dicit, quod conveniat aliqui melius secunda feria ire ad Ecclesiam S. Michaëlis vel Missam S. Michaëlis audire, quam in alio die, etc.

⁹ As early as Conc. Troslej. a. 909 (Mansi, xviii. 266): Dum jam jamque adventus imminet illius in majestate terribili, ubi omnes cum gregibus suis venient pastores in conspectum pastoris aeterni, etc. According to Trithemii Chron. Hirsau. ad ann. 960, Bernhard, an eremite from Thuringia, appeared at the diet of Würzburg, and diem jam-jam imminere dicebat extremum, et mundum in brevi consummandum, idque sibi a Deo revelatum constanter affirmabat. In cuius rei signum cruces Deum praemisisse apparere in vestibus hominum asserebat, nec illas desituras, donec mundi consummatio fiat. The Gesta Episc. Leodiensium, c. 21, written about 1050 (in Martene Ampl. coll. iv. 860), relate how Otto I.'s army in Calabria was terrified by an eclipse of the sun: Incredibili pavore perterriti, nihil, aliud quam diem judicii putant imminere. Alii vasis vinariis, ali: cistis, ali sub carris turpiter sese recondunt: quisque pro lucro reputat, si quod pro hac inusitata nocte sibi reperire queat latibulum. Abbo Abbas Floriacensis in Apologetico ad Hugonem R. (about 990, appended to Fr. Pithoei Cod. cann. Eccl. Rom. p. 401, and ap. Gallandius xiv. 141): Da fine quoque mundi coram populo sermonem in ecclesia Parisi-

The zealous efforts of *Alfred the Great* (871-901),¹⁰ for the revival of letters in England, had no lasting influence. The most important schools were maintained in Germany, especially in Fulda, St. Gallen,¹¹ Hirschau, and Corvey. *Roswitha*, a nun of Ganderheim (about 980), was eminent as a Latin poetess.¹²

28.

NEW SPIRITUAL IMPULSES.

While all learning was become extinct among Christians of the west, the Arabs, from the time of the Chalifs *Harun Al*

orum audivi, quod statim finito mille annorum numero Antichristus adveniret, et non longo post tempore universale judicium succederet: cui praedicationi ex Evangelii ac Apocalypsi et libro Danielis qua potui virtute restiti. Denique et errorem, qui de fine mundi inolevit, Abbas meus b. memoriae Richardus sagaci animo propulit, postquam literas a Lothariensibus accepit, quibus me respondere jussit. Nam fama paene totum mundum impleverat, quod quando Annuntiatio Dominica in Parasceue contigisset, absque ullo scrupulo finis saeculi esset. In the year 1010 the fear was renewed: Willelmi Godelli (monk in Limoges about 1150) *Chronica ap. Bouquet*, x. 262: Anno Dom. mx. in multis locis per orbem tali rumore auditio (namely, that Jerusalem, 1009, had been taken by the Turks (timor et mox corda plurimorum occupavit, et suspiciati sunt multi, finem saeculi adesse. Hence the frequent endowments in the tenth century, beginning with: Appropinquante mundi termina. In connection with this stands the passage, Glaber Radulph. iii. c. 4: Infra millesimum tertio jam fere imminentे anno contigit in universo paene terrarum orbe, praecipue tamen in Italia et in Galliis, innovari Ecclesiarum Basiliicas, licet pleraequo decenter locatae minime indiguissent, etc. At this period were erected the splendid cathedrals of Strassburg, Mayence, Treves, Speier, Worms, Basel, Dijon, Toul, and many others.

¹⁰ Some Anglo-Saxon poems of his, and translations of Orosius, Boethius, Gregory the Great, Bede, are extant. Cf. Aserii Schireburnensis (a contemporary) *Hist. de rebus gestis Alfredi Regis* (best edited by Franc. Wisc. Oxon. 1722. 8). Aut. Wood *Hist. et antiquit. Univers. Oxoniensis*. Oxon. 1674. fol. lib. i. p. 13, s. F. L. Graf zu Stolberg Leben Alfred des Grossen. Münster. 1815. 8. Geschichte Alfred's d. G. übertragen aus Turner's Geschichte d. Angelsachsen von D. F. Lorentz. Hamburg. 1828. *Biographia Britannica Literaria*. Anglo-Saxon period, by Thomas Wright. London. 1842.

¹¹ Here are particularly distinguished successively four Ekkehards and two Notkers (Balbulus and Labeo). See Ratperti († 900) *Casus monasterii S. Galli*, continued by Ekkehardus iv. († about 1036) later by another, ap. Pertz, ii. 59; cf. vita Udalrici, Ep. Augustani († 973); by Gerhard, c. 1 (Pertz, vi. 386): (Parentes) commendaverunt eum ad S. Galli monasterium, quia ibi nobilium Dei servorum multitudo et religiositas, discendi docendique studium tunc temporis habebatur. Ekkehardi iv. *Casus S. Galli*, c. 2 (Pertz, ii. 94). On the time of the scholastic Hiso: Auhelabant ad illius doctrinam totius Burgundiae nec non et Galliae ingenia. See Ildefons v. Arx *Geschichten des Cantons St. Gallen*, Bd. 1. (St. Gallen. 1810), S. 259, ff.

¹² Hroswitha or Helena of Rossow. Respecting her, see Schröckh's *Lebensbeschr. ber. Gelhrten*, i. 3, *Carmina*; (*Primordia coenobii Ganderscheimensis* and *Gesta Ottonis I.*, both ap. Pertz, vi. 302. *Comoediae sacrae vi. etc.*) ed. C. Celtes. Norimb. 1501. fol. H. L. Schurzfleisch. Vitemb. 1704. 4. *De Hroswitha poetria scripsit et comoediam Abraham inscriptam adjecit*, Dr. G. Freytag. Vratisl. 1839. 8.

Raschid (786–808), and *Al Mamun* (808–833), had engaged with great ardor in the study of the sciences, which they had borrowed from the Greeks. Not only were many celebrated schools established in the east (*Bagdad*, Bassora, Damascus, &c.), but in Spain, under the Ommaiads, these studies were particularly patronized, and a college instituted at *Cordova* (founded by *Hakem* 980), for their encouragement.¹ As yet, however, only mathematics, astronomy, and medicine, were prosecuted.² For this purpose individuals came hither even from the western church; though they were so few, and the field of those sciences so confined, that the influence of them on general culture could not have been considerable. Yet the study of mathematics may have given an impulse to individual minds, as it did to *Gerbert*,³ who owed to the Arabs such a knowledge of the science as excited universal astonishment at that time. He opened up a better prospect for the degenerate condition of schools, by giving a new impulse to the school at *Rheims*; from which other schools, too, soon received new teachers and a new spirit.⁴ Hence the school in *Chartres*, under bishop *Fulbert* († 1028),⁵ acquired high renown. The art of medicine, which had for a long time been chiefly cultivated in the convents of *Monte Cassino* and *Salerno*, was enriched indeed with several important translations of Arabic works, which *Constantine of Africa*, finally a monk at *Monte Cassino*, about 1050, made; but yet its character was too super-

¹ Gesenius in Ersch's u. Gruber's Encyclopädie, Th. 5, S. 58, ff. Wachler's Gesch. d. Literatur, Th. 2 (2te Umarb. 1823), S. 85, ff. H. Middeldorp Comm. de institutis literariis in Hispania, quae Arabes auctores habuerunt. Goettingae. 1810. 4.

² Jourdain Recherches crit. sur. l'âge et l'origine des traductions latines d'Aristote. Paris. 1819 (translated with additions and corrections by Dr. A. Stahr. Halle. 1831), nouv. édit. revue et augm. 1843, p. 86, 226.

³ See above § 22, notes 19 and 27. Hist. lit. de la France, vi. 559. Hüllmann's Städtewesen des Mittelalters, iv. 317. His mathematical and astronomical writings have not been printed, with the exception of the geometry in B. Pezii Thes. noviss. anecdot. iii. ii. 7. De Corpore et Sanguine Christi (prim. ed. Cellot. in Hist. Gotteschalci, p. 541, but without the author's name, therefore, till Pez discovered it, called Anonymous Cellotianus) and de Rationali et ratione uti, both in B. Pezii Thes. i. ii. 133. Epistolae ed. Pap. Masson. Paris. 1611. 4; more fully in du Chesne Scriptt. Franc. ii. 787 (on their historical connection, see Wilman's in den Jahrbüchern d. deutschen Reichs unter Otto III. S. 141). On his league with the devil, see Illgen's Zeitschrift f. hist. Theol. 1843. ii. 158. Gerbert als Freund u. Förderer klassischer Studien, Schweidnitzer Schulprogr. für Ostern. 1843. Gerbert od. Papst Sylvester II. u. s. Jahrhundert v. Dr. E. F. Hock. Wien. 1837. 8.

⁴ Hüllmann, l. c. S. 322, ff.

⁵ Opera (epistolas, sermones, caet.) ed. Car. de Villiers. Paris. 1608. 8, and in the Bibl. PP. Lugd. xviii. 1.

stitious and empirical to promote the general culture of the age.⁶

Among the German tribes, those works in the languages of the countries, which among the Franks proceeded from *Notker Labeo*, abbot of St. Gallen († 1022),⁷ and among the Anglo-Saxons from *Aelfric* (probably archbishop of York, from 1023-1051),⁸ were important in tending to diffuse a spirit of general improvement. The intercourse with the Greek Church,⁹ which had been renewed from the time of the Ottos, operated powerfully on scientific, and especially on theological advancement, in addition to the restoration of ecclesiastical order in the second half of the eleventh century; but, especially, the revival of a scientific study of the law, in the cities of Lombardy;¹⁰ the patronage of learning by the emperor Henry III.;¹¹ and the renewed disputes with the Greek Church in the middle of the eleventh century. The necessity of reflection led men back to a more earnest intercourse with translations of Boethius, and explanations of the logical writings of Aristotle.¹² *Lanfranc*

⁶ K. Sprengel's Gesch. d. Arzneikunde, Th. 2 (dritte Aufl. Halle. 1823), S. 490. Jourdain, l. c. p. 97. Wachler, l. c. S. 54.

⁷ Translation of the Psalms (in Schilter Thes. antiquit. teuton., more correctly in Hattemer, St. Gallens altdeutsche Sprachschätze, B. 3), Martianus Capella (published by E. G. Graff, Berlin. 1837. 8), Boethius (published by Graff, Berlin. 1837. 8), the Categories and the work on Aristotle's Sentences (published by Graff, Berlin. 1837. 4). The following are lost; the translations of Gregory's Moralia, Cato, single pieces from Virgil, Terence, and others. Comp. v. Arx. Gesch. v. St. Gallen i. 276, 269. Raumer's Einwirkung des Christenth. auf die althd. Sprache. S. 38, 72.

⁸ Ussher regards this writer as Aelfric who was archbishop of Canterbury 995, 1006. He wrote many works in the Anglo-Saxon tongue (Latin Grammar and Dictionary, translation of Gregory the Great's Dialogues, Homilies, in part his own, in part translated). An Aelfric society has lately commenced to do something in the way of the Anglo-Saxon language: The Homilies of the Anglo-Saxon Church, P. i. Homilies of Ælfric by Benj. Thorpe, vol. i. London. 1844. 8.

⁹ Many Germans at this time were versed in Greek, ex. gr. Luitprand, Hermannus Contractus. In St. Gallen it was assiduously cultivated, v. Arx Gesch. v. St. Gallen, i. 258, 266, 271, ff. Schlosser's Weltgesch. ii. ii. 256. Concerning the revival of the sciences in the East under the Macedonian emperors, see below, § 43.

¹⁰ Savigny's Gesch d. röm. Rechts im Mittelalter, iii. 75. Even clergymen applied themselves to it in great numbers, Petri Damiani Ep. 15, ad Alex. II. Opp. i. 12: Ecclesiarum rectores tanto mundanae vertiginis quotidie rotantur impulsu, ut eos a saecularibus barbirasium (the shorn beard) quidem dividat, sed actio non discernat, nec sacrarum meditantur eloquia Scripturarum, sed scita legum et forense litigium. Claustra vacant, Evangelium clauditur, per ora ecclesiastici ordinis forensia jura decurrunt.

¹¹ Stenzel's Gesch. Deutsh. unter d. fränk. Kaisern, i. 132, ff.

¹² The doubts which Heeren raised against the usual opinion, that Aristotle's writings were first known in the West by translations from the Arabic (Gesch. d. class. Lit. im Mittelalter, hist. Werke, iv. 225), are partly confirmed, partly rectified, by Jourdain's inquiries referred to above (note 2) which furnish this result, that, till the thirteenth century,

(1042, monk in Bec, 1062, abbot in Caen, 1070, archbishop of Canterbury, † 1089),¹³ prepared for such a task by previous legal studies, led the way in a new dialectic development of theology, the taste for which he spread far and wide by the monastic school which he founded in Bec. His rival was *Berengarius* (1031, a scholastic at Tours, 1040, archdeacon of Angers, † 1088),¹⁴ and the first trial of the new science was in the dialectic dispute between them concerning the Lord's Supper.

§ 29.

BERENGAR'S CONTROVERSY CONCERNING THE DOCTRINE OF THE LORD'S SUPPER.

The most important authorities for the first part of the controversy are: *Lanfranci de Eucharistiae sacramento contra Berengarium lib. (cum Philastro prim. ed. Jo. Sichardus. Basil. 1528. 8; subsequently often published, among others in Bibl. PP. Lugd. xviii. 763)*, and *Berengarii de Sacra coena adv. Lanfrancum lib. (MS. in Wolfenbüttel, 228. S. in 8.)*¹ primum edd. A. F. et F. Th. Vischer, Berol. 1834. 8 (here cited according to the pages of the MS.). Comp. G. Ephr. Lessing's *Berengarius Turon. od. Ankündigung eines wichtigen Werks desselben. Braunschweig. 1770. 4.; in dess. sämmtl. Schriften. Berlin, 1825, ff. Th. 12. S. 143, ff.* (according to which last edition it is here cited). C. F. Stäudlin's *Osterprogr. v. 1814: Annuntiatur editio libri Bereng. Tur. adv. Lanfrancum, simul omnino de scriptis ejus agitur.* The same: *Berengarius Tur. in Stäudlin's and Tzschirner's Archiv für Kirchengesch. ii. i. 1.*

For the later part of the controversy: *Acta concilii Rom. sub Gregorio P. VII. ab ipso Berengario conscripta, prim. ed. Martene et Durand in Thesaur. nov. anedotorum, iv. 99, ap. Mansi, xix. 761* (on its authenticity see Stäudlin im Archive, l. c. S. 81, ff.).

A survey of all the treatises is given by *Bernaldi Constantiensis² de Berengarii damnatione multiplici lib. written A.D. 1088* (the more important part first published by P. F. Chiffletius in *Scriptorum vett. de fide catholica opusc. v. 1656, ap. Mansi, xix. 757*; complete by Matth. Rieberer in *Raccolta Ferrarese di opuscoli scientifici e letterati, t. 21. Venezia. 1789, p. 37, ss.*

Neader's Kirchengesch. iv. 327. Dr. A. Ebrard's Dogma v. heil. Abendmale u. s. Geschichte, Bd. 1 (Frankf. a. M. 1845) S. 439.

Although Paschasius's sentiments concerning the Lord's Sup-

only the Organon of Aristotle was known in the West by the Latin translation of Boethius (Vol. I. Div. II. § 114, note 10), or rather, only the introduction of Porphyry, and the first two treatises of the Organon, on the Categories, and on the Sentences, which alone were translated by Boethius. See Cousin *Ouvrages inédits d' Abélard. Introduction, p. li.* All these writings were known to, and used by, individuals even from the ninth century, as, for instance, Rabanus Maurus (Cousin, l. c. p. lxxvi.), Gerbert, and an anonymous commentator on the Organon in the tenth century, p. lxxx.: but now the acquaintance with them was more general. Notker Labeo translated both these treatises of Aristotle even into the Frankish-German. See note 7.

¹³ Hist. lit. de la France, viii. 260, ss. Opera (Comm. in Ep. Pauli; de Corpore et Sang. Domini epistolae, etc.), ed. Luc. d'Achery. Paris. 1648. fol.; prefixed to which is his life by his younger contemporary Milo Crispinus. ¹⁴ Hist. lit. de la Fr. viii. 197.

¹ The conjecture of the late Stäudlin founded on the remarkable corrections (in the

per had been adopted by many,³ and others taught at least the corporeal presence of Christ without entering into a more subtle development of the subject,⁴ yet many still maintained a merely spiritual presence.⁵ Thus Berengarius⁶ also declared against Paschasius, and in favor of the alleged John Scotus.⁷ He

Archive, Bd. 2, S. 65), that it may have been Berengar's own MS., is somewhat bold. Perhaps there were two editions of that work, the MS. having been originally taken from the first, and then improved and corrected after the second. Another MS. of a treatise of Berengar's, probably the same treatise, was formerly in the library of the Jesuits at Louvain, see Possevini Apparatus sacer, i. 211, from which extracts have been given by Mabillon. Oudini comm. de scriptt. eccl. ii. 632. It is very desirable that this MS. should be found out again and compared.

² In editions designated as anonymous. That Bernaldus was the author, see in Monuments res Alemannicas illustrantia (ed. Ussermann. St. Blasii, 1792) ii. 427.

³ So by Gezo (abbot in Tortona about 950) Lib. de corpore et sang. Christi (in Muratorii Anecdota, iii. 237). It was confirmed especially by miraculous stories, such as are found even in Paschasius's own writings. Comp. the proofs in Syn. Attrebatensi, ann. 1025, c. 2 (Mansi, xix. 433).

⁴ So Ratherius Ep. vi. ad. Patricum (in d'Achery Spicileg. i. 376): Istud Dei benedictione vinum verus, et non figurativus efficitur sanguis, et caro panis.—De caeteris, quaeso, ne solliciteris quandoquidem mysterium esse audis, et hoc fidei: nam si mysterium est, non valet comprehendendi: si fidei, debet credi, non discuti. Gerbert de Corp. et Sang. Christi (in Pezii Thes. i. ii. 133, see § 28, note 3), regards the schism between Paschasius and Ratramnus as not a great one, and is fired with zeal only against the Stercoranists, particularly against Heribaldus and Rabanus.

⁵ Sigebert. Gemblac. de Scriptt. eccles. c. 137 (Fabricii Bibl. eccles. p. 109), writes of Heriger, abbot of Laubes († 1007): Congessit etiam contra Rutherfordum multa catholicorum Patrum scripta de corpore et sanguine Domini. Aelfric (see § 28, note 8) expresses decidedly the Augustinian-Ratramnian doctrine, that Christ's body is partaken of, not corporeally, but spiritually (na lichenlice ac gastlice). This opinion is maintained in an Easter Homily, which has been preserved in the Anglo-Saxon tongue, and is often opposed to the Catholics as a testimony for the faith of the Anglo-Saxon Church (prim. ed. Matth. Parker, London, 1567. 12, and also in Bedae Hist. eccl. cum Alfredi Regis paraphrasi Saxon. ed. A. Whelock. Cantabrig. 1644. fol. p. 462. Comp. the Creed of the Anglo-Saxon Church by H. Soames. Oxf. 1835. 8). Whether the error of Leutherich, archbishop of Sens, censured by Robert, king of France (Helgaldus in vita Roberti ap. Bouquet, x. 100; Baronius, ann. 1004, no. 3) related to the use of the Eucharist as an ordeal, or to the formula of administration: Si dignus es, accipe, is obscure. Praesul bene correctus, a Rege pio et bono sapienter instructus, quievit, obmutuit, et siluit a dogmate perverso, quod erat contrarium omni bono, et jam crescebat in saeculo. But in a vita Johannis XVII. (Mansi, xix. 279) it is said: Hujus tempore Leuthericus Senon. Archiep. haeresis Berengarianae primordia et semina sparsit.

⁶ Even Fulbert (see § 28, note 5), Berengar's teacher, says, Epist. 1 (Bibl. PP. Lugd. xviii. 5). Corporis et sanguinis sui pignus salutare nobis reliquit, non inanis mysterii symbolum. Ep. 2, p. 6: Panis ab Episcopo consecratus—in unum et idem corpus Christi transfunditur. Sed quodammodo aliud esse dicitur, quod virginali utero sumta carne crucis injuriam sustinuit,—cujus memoriam in pane Presbyteris collato Episcopus agere videtur: aliud, quod per mysterium agitur. He can not, however, have expressed himself decidedly against the transformation-doctrine, since Adelmann, in his letters, refers Berengar to their common teacher.

⁷ The first traces are afforded by the two works written to refute him: Adelmanni de Veritate corp. et sang. Dom. ad Bereng. epist. (of which many though faulty editions, ex gr. Bibl. PP. xviii. 438, far more complete ex MS. Guelpherb. ed. C. A. Schmidt. Brunsv

wrote a letter on the subject to Lanfranc,⁸ on the strength of which he was condemned without a hearing at *Rome*,⁹ 1050; and the council of *Vercelli*,¹⁰ immediately after, repeated the

1770. 8) written before 1049 (*Hist. lit. de la Fr.* vii. 542); and the notorious (see § 27, note 4) *Hugonis Ep. Lingonensis Lib. de corp. et sang. Dom.* (prim. ed. d' Achery in *Opp. Lanfranci*, append. p. 68, ss. *Bibl. PP. Lugdun.* xviii. 417), likewise written before 1049 (*Hist. lit. de la Fr.* vii. 438). The first was answered by Berengar, as appears, after some time, in his *Purgatoria Epist. contra Adelmann.* (*Fragn. in Martene et Durand. Thes. nov. anecd. iv.* 109, ss. and ap. Schmidt, l. c. p. 34, ss.

⁸ Bereng. *Epist. ad Lanfr.* (prim. ed. d' Achery in *Opp. Lanfr.* p. 22, ap. *Mansi*, xix. 768) : Pervenit ad me, frater Lanfranc, quiddam auditum ab Ingelranno Carnotensi, in quo dissimulare non debui ammonere dilectionem tuam. Id autem est, displicere tibi immo haereticas habuisse sententias Joannis Scoti de Sacramento altaris, in quibus dissentit a suscepto tuo Paschasio. Hac ergo in re si ita est, frater, indignum fecisti ingenio, quod tibi Deus non aspernabile contulit, praeproperam ferendo sententiam. Nondum enim adeo sategisti in *Scriptura divina* cum tuis diligentioribus. Et nunc ergo, frater quantumlibet rudis in illa *Scriptura* vellem tantum audire de eo, si opportunum mihi fieret, exhibitis quibus velles, vel judicibus congruis, vel auditoribus. Quod quamdiu non fit, non aspernanter aspicias quod dico. Si haereticum habes Joannem, cuius sententias de Eucharistia probamus : habendum tibi est haereticus Ambrosius, Hieronymus, Augustinus, ut de caeteris taceam.—*Guitmundus de Corp. et Sang. Chr.* (comp. below, note 15) relates at the commencement: Postquam a dom. Lanfranco in dialectica de re satis parva turpiter est confusus, cumque per ipsum d. Lanfrancum virum aque doctissimum liberales artes Deus recalescere atque optime reviviscre fecisset: desertum se iste a discipulis dolens, ad eructanda impudenter divinarum Scripturarum Sacraamenta—sese convertit.

⁹ *Lanfranc. de Euchar. cap. 4:* Tempore S. Leonis P. delata est haeresis tua ad apostolicam sedem. Qui cum synodo praesideret,—jussum est in omnium audiencia recitari, quas mihi de corpore et sanguine Domini literas transmisisti. Portitor quippe earum legatus tuus, me in Normannia non reperto, tradidit eas quibusdam clericis. Quas cum legissent, et contra usitatissimam Ecclesiae fidem scriptas animadvertisserint: zelo Dei accensi, quibusdam ad legendum eas porrexerunt, plurimis eorum sententias verbis exposerunt. Itaque factum est, ut non deterior de te quam de me fuerit ortsus suspicio, ad quem videlicet tales literas destinaveris,—promulgata est in te damnationis sententia. Posthaec praecepit Papa, ut ego surgerem, pravi rumoris a me maculam abstergerem, fidem meam expōnerem, expositam plus sacris auctoritatibus quam argumentis probarem. Itaque surrexi, quod sensi dixi, quod dixi probavi, quod probavi omnibus placuit, nulli displicuit. On the other hand, *Berengarius de Sacra coena*, MS. p. 11: Saepius me de falsitate tua scriptum tuum compellit ut loquar; qua enim fronte scribere potuisti, suspicionem contra te de meo ad te scripto potuisse oriri?—nec sani ergo capit is fuit, aliquid contra te suspicari de scripto illo, in quo ego reprehenderam, quod omnes, ut scribis te fecisse, approbabant.—Quod promulgatam dicis in me damnationis sententiam, sacrilegæ sancto illi tuo Leoni notam praecipitationis affigis: injustum enim esse praescribunt tam humana jura, quam divina, inauditus aliquem condemnari. Maxime cum me Leo ille accersisset: donec certum fieret, utrum praesentiam ejus adire suffugerem, suspendenda fuit sententia: ut revera cognosceret, quod falsissimum habet scriptum tuum, quænam ego communī fidei adversa sentirem,—ut per me verbis audiretur aut scriptis, quæ ego in Joh. Scoto approbare, quæ in Pascasio Corbejensi monacho condemnarem.—*Milo Crispinus in vit. Lanfranci*, c. 3, says that he journeyed to *Rome* causa cujusdam clerici nomine Berengarii, qui de Sacramento altaris aliter dogmatizabat, quam Ecclesia tenet. The *Hist. lit. de la Fr.* viii. 263, attempts to account for the journey in a different way. See, however, on the other side, *Lessing*, xii. 230.

¹⁰ Lanfranc continues: Dehinc declarata est synodus Vercellensis, quæ tunc proximo Septembri eodem praesidente Pontifice est celebrata Vercellis, ad quam vocatus non venisti. Ego vero praecepto ac praecibus praefati Pontificis usque ad ipsam synodum

same sentence. By this means public opinion was turned

secum remansi. In qua in auditentia omnium—Joannis Scoti liber de Eucharistia lectus est ac damnatus, sententia tua exposita ac damnata: fides s. Ecclesiae, quam ego teneo ac tenendam adstruo, audita, et concordi omnium assensu confirmata. Duo clerici, qui legatos tuos se esse dixerunt, volentes te defendere, in primo statim aditu defecerunt et capti sunt. On the other side, Berengarius, p. 16: Pervenerat ad me, praecepsisse Leonem illum, ut ego Vercellensi illi conventui, in quo tamen nullam Papae debebam obedientiam, non deessem. Dissuaserant secundum ecclesiastica jura, secundum quae nullus extra provinciam ad judicium ire cogendus est, personae ecclesiasticae, dissuaserant amici: ego ob reverentiam pontificatus multo Romanam ita labore suscepseram, et ut irem securius, ad Regem Franciac, Ecclesiae, cuius eram clericus, Abbatem (on this relation, which Lessing misunderstands, p. 261, see Thomassinus, P. i. lib. iii. c. 64, § 4), accesseram, nihil a regia dignitate, nihil ad Abbatis paternitate sinistrum exspectabam, cum me carcerandum ac rebus omnibus exscoliandum cuidam dedit. Hoc Leo ille Vercellis audivit, non apostolica dignitate, non paterna miseratione, non humana motus est compassionē,—haereticum me potius voce sacrilega—in conventu illo Vercellensi pronunciavit. P. 18: Quod sententian meam scribis Vercellis in consensu illo expositam, dico de rei veritate et testimonio conscientiae meae, nullum eo tempore sententiam meam exposuisse, quod nec mihi eo tempore tanta perspicuitate constabat, quod nondum tanta pro veritate eo tempore perpessus, nondum tam diligenter in Scripturis consideratione satageram. Duos clericos meos Vercellis affuisse scripsisti,—clericī illi mei revera non fuerunt, me defendere minime suscepserunt. Alter Concanonicus mihi erat in Ecclesia b. Martini,—hunc clerū ille b. Martini, cum me—Rex—carcerandum dedisset cuidam adolescentulo,—consilio communi ad Leonem illum misit Vercellis, si forte, infortunio meo compatiens, christiano rigore aliiquid pro me adoriretur. Huic, cum esset in conventu illo Vercellensi, et quidam interrogatus a Papa responderet ad interrogata, quod respondendum putavit, visum illi est, sicut mihi ipse narravit, dare illum sententiam, quod essem haereticus: quo viso perturbatissimus, ad quem nesciebat, inclamavit, quantum potuit: “per Deum omnipotentem mentiris:” Alter compatriota tuus nomine Stephanus, ei, quem ab Ecclesia b. Martini missum dico non ignotus, cum vidisset libellum Joh. Scoti ex nutu et libito tuo consciendi, nobili permotus zelo non tacuit, similiter posse consciendi librum aliquem praeproperantur b. Augustini, non adhibita mora et lima, utrum consindendus esset, sufficiens considerationis. Ita factum est, ut jubaret Leo ille, utrumque teneri, non tamen, ut ipse postea exponebat, ut illis aliiquid injuriae fieret aut molestiae, sed ne turba forte in illos illicitum adoriretur aliiquid. Ita indignum eruditio tua scriptum continuit tantam falsitatem tuum: “duo clerici tui te volentes defendere primo aditu defecerunt,” etc. When Berengarius, on the way to Vercelli, went to Paris to ask permission for the journey, he took a circuitous route through Normandy, probably for the purpose of making friends there. But he found the universal voice against him, particularly in the conference at Brione (Durandi Abb. Troarn. de Corp. et Sang. Ch. pars ix.). So also at Bee, as appears from the letters of Bereng. ad Ascelinum mon. Beccensem, and ap. Ascelini Bereng. (prim. ed. d'Achery in Opp. Lanfr. not. ad vit. Lanfr. p. 24, ap. Mansi, xix. 775). When Berengar writes to Ascel: Per vos igitur transiens disposueram omnino nihil agere cum quibuscumque de Eucharistia, priusquam satisfacerem in eo Episcopis, ad quos contendebam; this passage, so often misunderstood, refers (Stäudlin im Arch. S. 43) to the council of Vercelli. In the mean time Henry I. had summoned a council at Paris to try Berengarius there, but Deoduinus (not Durandus), bishop of Liege, made objections. Comp. his Epist. ad Regem (first ed. complete in the Bibl. PP. Lugd. xviii. 531. Gallandii Bibl. PP. xiv. 244): Fama supremos Galliae fines praetergressa totam Germaniam pervasit, jamque omnium nostrum replevit aures, qualiter Bruno Andegavensis Episcopus, item Berengarius Turon. antiquas haereses modernis temporibus introducendo, adstruant, corpus Domini non tam corpus esse, quam umbram et figuram corporis Domini; legitima conjugia destruant, et quantum in ipsis est, baptismum parvulorum evant. Quos ad revincendum ac publice confutandum—ajunt, vos Concilium advocasse. Sed desperamus id fieri, posse, cum Bruno existat Episcopus, Episcopum autem non oportet damnationis subire

against him, though he still had many friends.¹¹ He succeeded, however, in convincing Hildebrand, the papal legate of *Tours* (1054) of his orthodoxy;¹² and relying on his powerful aid, he ventured to appear at the synod of Rome (1059). Here Humbert's rough violence forced him to subscribe a creed truly Capernaitic.¹³ Berengarius renounced it with great bitterness as

sententiam praeter apostolicam auctoritatem. And at the conclusion: Quamobrem Brunonem et Berengarium jam anathematizatos arbitramur. Quod si ita est, vere illis auditio Concilii deneganda est, et cum vestris, cumque nostris Episcopis (si vobis ita videtur) cum amico vestro Imperatore, cum ipso Papa, quae vindicta in illos statuatur, deliberandum. By these arguments Henry seems to have been induced to give up the council, and adopt the other course described by Berengarius himself. For that Durand's (l. c.) account of a council actually held at Paris is wholly false, is proved incontrovertibly by Lessing, p. 264, ff., though Stäudlin in the *Archiv.* p. 34, ff., opposes him. On the other hand, Durand's evidence in favor of Berengar's journey into Normandy is satisfactory authority, since he was himself an inhabitant of that country. Lessing's doubts on this head (p. 276) are satisfactorily removed by the order of events given above. The letter of Deoduinus, Lessing had no right to question (p. 275), as it is mentioned as early as by Guitmundus de Verit. Euchar. lib. i. init.

¹¹ Cf. Berengarii Epist. ad Richardum (prim. ed. d'Achery in *Spicil.* iii. 400, ap. Mansi, xix. 784), and the fragment in Mabillon. *Act. SS. ord. Bened. saec. vi. P. ii. Praef. n. 22*, in which he prays intercedingly with the king, si forte—aliqua munificentia compensaret damnum, quod in clero Ecclesiae suae injustissime, ac regia majestate indignissime tantum intulit. Further, the very friendly Epist. Frollanti Ep. Silvanectensis ad Bereng. (prim. ed. d'Achery, l. c. p. 399, ap. Oudinus de Scriptt. eccl. ii. 629), concluding: Illud volo Fraternitas tua noverit, quod multum firmiter acquisivi tibi gratiam domini mei Regis. Other friends of Berengar's were Bruno, bishop of Angers (cf. Deoduinus, note 10), and Paulinus. See below, note 20.

¹² Lanfranc. l. c.: Quae sententia (Leonis IX.) non effugit successorum quoque suum felicis memoriae P. Victorem. Denique in concilio Turonensi, cui ipsius interfuerunt praefuerunt legati, data est tibi optio defendendi partem tuam. Quam cum defendendam suscipere non auderes, confessus coram omnibus communem Ecclesiae fidem, jurasti te ab illa hora ita crediturum, sicut in Romano concilio (see below, note 13), te jurasse est superius comprehensum. On the other hand, Berengarius, p. 23: Compellit me, velim nolim, longum facere continua scripti tui monachatu tuo indignissima falsitas. Sed quia adhuc superest Hildebrandus, qui de veritate consultus tota dignitate est adhuc respondere idoneus; visum est, de concilio Turonensi, quod rei veritas habuit, neque tamen eo nisi paucissimis tempore innouit, palam facere. Tempore non Victoris, sed Leonis ab Ecclesia Romana Hildebrandus, vices in negotiis ecclesiasticis suppleturus apostolicas, Turoni adfuit. Huic contra calumniam in me insanorum, in quo adhuc, omissio me, audire eum potest, qui voluerit, de Propheta, de Apostolo, de Evangelista, de authenticis etiam scripturis satisfeci Ambrosii, Augustini, Hieronymi, Gregorii. Hildebrandus veritatis perspicuitate cognita persuasit, ut ad Leonem P. intenderem, cuius auctoritas superborum invidiam atque ineptorum tumultum compesceret. The books were to be given to the bishops, quos undecunque Hildebrandus ipse multos fecerat comportari, in the mean time, however, they had expressed themselves satisfied with Berengarius's confession, given orally and in writing: "Panis atque vinum altaris post consecrationem sunt corpus Christi et sanguis," haec me, sicut ore proferrem, juramento confirmavi corde tenere. Ita Hildebrandus—tumultu compescito, alia—est prosecutus negotia. During this time nunciatum illi est, P. Leonem rebus decessisse humanis, quo auditio a proposito eundi Romanum itinere supersedi.

¹³ Lanfranc. c. 5: Nicolaus P.—concessa tibi—respondendi licentia, cum non auderes pro tuae partis defensione aliud respondere: pietate motus ad preces tuas praecepit

soon as he had regained his liberty,¹⁴ and became involved in an

tradi scripturam tibi, quam superius posui. Namely, c. 2: "Ego Bereungarius—anathematizo omnem haeresim, praecipue eam, de qua hactenus infamatus sum, etc. Consentio autem s. Rom. Ecclesiae,—scilicet panem et vinum, quae in altari ponuntur, post consecrationem non solum Sacramentum, sed etiam verum corpus et sanguinem Domini nostri J. Chr. esse, et sensualiter non solum Sacramento, sed in veritate manibus sacerdotum tractari, frangi et fidelium dentibus atteri, jurens per s. et homousion Trinitatem," etc. Cum ergo venisses Romanum, fretus iis, qui plus impensis a te beneficiis, quam ratione a te auditam opem tibi promiserant, non ausus defensare, quod antea senseras, postulasti Nicolaum Pont. ejusque concilium, quatenus fidem, quam teneri oporteret, verbis tibi traderet, scriptura firmaret. Injuncta est hujus rei cura Humberto Episcopo. Itaque verba fidei superius comprehensa scripsit,—tu vero acquiscens accepisti, legisti, confessus es, te ita credere, jurejurando confirmasti, tandem manu propria subscrivisti. Cur ergo scriptum hoc magis adscribis Humberto Ep. quam tibi, quam Nicolao Pont., quam ejus concilio, quam denique omnibus Ecclesiis? C. 1: Tu quoque inclinato corpore, sed non humiliato corde ignem accendisti, librosque perversi dogmati in medio s. Concilii in eum conjectisti: jurans per id, quod rebus omnibus incomparabiliter majus est, fidem a Patribus, qui praesentes erant, traditam inviolabiliter se servaturum, veteremque doctrinam tuam de corp. et sang. Domini ab illa die aliis non praedicaturum. On the other side, Berengarius, p. 43: Ego longe verius te, quid cum Nicolaus egerim, novi. Ego Nicolaum P. quanta potui objurgatione adortus, cur me quasi feris objecisset, immansuetis animis, qui nec audire poterant spiritualem de Christi corpore refectionem, et ad vocem spiritualitatis aures potius obturabant; minime ad hoc adducere potui, ut me ipse mansuetudine christiana paternaque diligentia audiret, aut, si id minus liceret, minusve liberet, idoneos ad negotium, qui scripturas ex mora et lima intenderent, eligeret. Solum mihi, ut in Hildebrandum ista conjicerem, Papa respondit. Ita nec mihi respondendi licentiam fecit, nec quia non auderem defendere partes meas,—sed quia comminatione mortis, et forensibus etiam litibus indignissima, mecum agebatur tumultuaria perturbatione, usquequaque obmutui, nec ulla, quod mentitur scriptum tuum, ad Papam ego preces feci. Tantum cum obmutuisse, ne mecum christianismo suo indignum agerent, corde convolvens humili procubui. —in coequa mean tecum infelicitatem confiteor maximam, quia instantis timore mortis atque insanorum perturbatione dejectus a protestatione veritatis et defensione mea obmutui, non quod a percepta unquam veritate desciverim; quamquam nobilem quandam, mihique in immensum superiorem de quodam forsitan non dissimili, cui interfuisset, concilio dixisse non nesciam: "compressus indoctorum grege conticui, veritus, ne merito haberer insanus, si sapiens inter insanos videri contendarem." P. 1: Manu, quod mendaciter ad te pervenit, non subscripsi, nam ut de consensu pronunciarem meo, nullus exegit, tantum timore praesentis jam mortis scriptum illud, absque ulla conscientia mea jam factum, manibus accepi. P. 35: Ab asserenda veritate instantis mortis timore, conticui, propheticā, evangelica et apostolica scripta in ignes ad vulgi jussionem conjeci. P. 4: Solus Humbertus ille, in convento et inaudito me, sine mora et lima diligentioris secundum scripturas considerationis, quod voluit, scripsit, nimiaque levitate Nicolaus ille, de cuius inerditione et moram indignitate facile mihi erat non insufficienter scribere,—quod dixerat Humbertus, approbat. P. 5: Expertus in Humberto ego sum non dei servum, sed Antichristi membrum. P. 7: Quod de humilitate vitae et doctrinae Humberti confirmas, utinam non ex calumnia erga me tua, sed ex veritate firmaveris: quantum ad experientiam hominis dico meam, in negotio isto de mensa dominica, quoquo modo vixerit non humiliiter, sed superbissime docuit, quia ad praeferendum se mihi contra ipsam veritatem, corruptibile adhuc esse Christi corpus, dicere non exhorruit. Si humilitas in illo christiana fuisset, non me inauditum quasi haereticum condemnasset; potius—revera me audiens, si veritatis invenisset inimicum,—meum sub congruis judicibus, non cum gladiis et fustibus, sed christiana mansuetudine constitisset.

¹⁴ Bernaldus de Bereng. damnat. multipl.: Sed Beringerius more sua ad proprium votum redire non timuit, ut ultra omnes haereticos Romanos Pontifices et s. Rom. Ecclesiam verbis et scriptis blasphemare praesumsit. Nempe S. Leonem P. non pontificem,

animated correspondence; ¹⁵ in which, during the progress of the controversy, ¹⁶ he had an opportunity of developing his opinion

sed pompificem et pulpificem appellavit, s. Rom. Ecclesiam vanitatis concilium et Ecclesiam malignantium, Romanam sedem non apostolicam, sed sedem Satanae dictis et scriptis non timuit appellare. Unde venerabilis P. Alexander—literis eum satis amice praemonuit, ut a secta sua cessaret, nec amplius s. Ecclesiam scandalizaret. Ille autem ab incepto desistere noluit, hocque ipsum eidem Apostolico literis suis remandare non timuit.

¹⁵ Against Berengar's first writing, ad Lanfrancum et Richardum. (It is said to be in MS. in the Royal Library at Paris, Hist. lit. de la Fr. viii. 223. Nothing more than the Fragments in Lanfranc's reply have been published, collected in Stäudlin's Easter programme of 1814, p. 8, ss.) wrote Lanfrancus de Euch. sacr. (not as the Hist. lit. de la Fr. viii. 312, s. 279, would have it for the sake of converting Berengar in 1079, but between 1063–1069, see Lessing, S. 180, ff.) In reply to this Berengarius de Sacra coena adv. Lanfr.—Durandi Abb. Troarnensis lib. de Corp. et Sang. Chr. contra Bereng. in ix. PP. (prim. ed. d'Achery in Opp. Lanfr. app. p. 71, ss. ap. Gallandius, xiv. 245) was written after 1059, and before Lanfranc's production, and Guitmundi Archiep. Aversani de Corp. et Sang. Chr. veritate in Eucharistia lib. iii. (in Bibl. PP. Lugd. xviii. 440) between 1073 and 1077.

¹⁶ Berengarii first work adv. Lanfr. (ap. Lanfr. c. 10): Sacrificium Ecclesiae duobus constat, duobus conficitur, visibili et invisibili, Sacramento et re Sacramenti (i. e., Christi corpore).—Ibid. c. 9: Per consecrationem altaris fiunt panis et vinum sacramentum religionis, non ut desinant esse, quae erant, sed ut sint, quae erant, et in aliud commutentur, quod dicit b. Ambrosius in libro de Sacramentis. De Sacra coena MS. p. 39: Sunt enim sicut secundum religionem sacramenta, ita secundum aliud alimenta, sustentamenta. P. 64: Fit panis, quod nunquam ante consecrationem fuerat, de pane, scilicet de eo, quod ante fuerat commune quiddam, beatificum corpus Christi, sed non ut ipse panis per corruptionem esse desinat panis, sed non ut corpus Christi esse nunc incipiat per generationem sui, but according to the illustrations of Ambrosius, as man becomes a nova creatura from a vetus creatura, and a filius fidelis from a filius perditionis. P. 65: Panis consecratus in altari amisit vilitatem, amisit inefficaciam, non amisit naturae proprietatem. P. 79: Omne quod sacratur necessario in melius provehitur, minime consumuntur per corruptionem subjecti. Epistolae ad Adelmann. fragm. i.: Not the res sacramentorum, but the sacramenta are signa, figurae, similitudines, pignora, as also Augustin. de Civ. Dei, lib. x. explains sacramentum by sacram signum: cum constet nihilominus, verum Christi corpus in ipsa mensa proponi, sed spiritualiter interiori homini: verum in ea Christi corpus ab his dumtaxat, qui Christi membra sunt, incorruptum, intaminatum, inattritumque spiritualiter manducari. Hoc Patres publice praeconantur, aliudque esse corpus et sanguinem, aliud corporis et sanguinis sacramenta non tacent; et utrumque a pii, visibiliter sacramentum, rem sacramenti invisibiliter, accipi: ab impiis autem tantum sacramenta, commendant. Nihilominus tamen sacramentum secundum quendam modum res ipsas esse, quarum sacramenta sunt, universaque ratio et universa auctoritas exigit. Namely, de Sacr. coen. MS. p. 51: Non minus tropica locutione dicitur: panis, qui ponitur in altari, post consecrationem est corpus Christi, et vinum sanguis; quam dicitur: Christus est leo, Christus est agnus, Christus est summus angularis lapis.. On the other hand, Lanfranc's view, de Euchar. c. 18: Credimus terrenas substantias, quae in mensa dominica per sacerdotale ministerium divinitus sanctificantur, ineffabiliter, incomprehensibiliter, mirabiliter, operante superna potentia, converti in essentiam Domini corporis, reservatis ipsarum rerum speciebus, et quibusdam aliis qualitatibus, ne percipientes cruda et cruenta horrent, et ut credentes fidei praemia ampliora perciperent, ipso tamen dominico corpore existente in caelestibus ad dexteram Patris immortalis, inviolato, integro, incontaminato, illaeso; ut vere dici possit, et ipsum corpus, quod de Virgine sumtum est, nos sumere, et tamen non ipsum; ipsum quidem, quantum ad essentiam, veraeque naturae proprietatem, atque naturam: non ipsum autem, si species panis vinique speciem, caeteraque superius comprehensa.

more clearly, and also defending it with logical reasons;¹⁷ while the transformation-doctrine was also more definitely explained¹⁸

¹⁷ The distrust of dialectics still felt is shown by the demand of the Conc. Rom. on Lanfranc, ut plus sacris auctoritatibus, quam argumentis probaret (note 9) Cf. Lanfranc. de Euch. c. 7: Relictis sacris auctoritatibus ad dialecticam confugium facis. Et quidem de mysterio fidei auditurus ac responsurus, quae ad rem debeat pertinere, mallem audire ac respondere sacras auctoritates, quam dialecticas rationes. Verum contra haec quoque nostri erit studii respondere, ne ipsius artis inopia me putes in hac tibi parte deesse. Fortasse jactantio quibusdam videbitur, et ostentationi magis quam necessitati deputabitur. Sed testis mihi Deus est, et conscientia mea, quia in tractatu divinarum Literarum nec proponere, nec ad proposita respondere cuperem dialecticas quaestiones vel earum solutiones. Et si quando materia disputandi talis est, ut hujus artis regulis valeat enucleatus explicari, in quantum possum per aequipollentias propositionum tego artem, ne videar magis arte, quam veritate, sanctorumque Patrum auctoritate confidere. Quamvis b. Augustinus—hanc disciplinam amplissime laudet, et ad omnia, quae in sacris literis vestigantur, plurimum valere confirmet, etc. On the other hand, Berengarius MS. p. 67: He does not neglect the sacras auctoritates where it is necessary: quanquam ratione agere in perceptione veritatis incomparabiliter superius esse, quia in evidenti res est, sine recordiae caecitate nullus negaverit. In support of this he cites Augustine: "Rationi purgatorioris animae, quae ad perspicuam veritatem pervenit, auctoritas nullo modo humana proponitur." Maximi plane cordis est, per omnia ad dialecticam confugere, quia confugere ad eam, ad rationem est confugere: quo qui non confugit, cum secundum rationem sit factus ad imaginem Dei, suum honorem reliquit, nec potest renovari de die in diem ad imaginem Dei. Examples of their dialectics: In his first work, Berengar says (ap. Lanfr. c. 5-8), that in the proposition, panis et vinum altaris solummodo sunt verum Christi corpus et sanguis, lies also the proposition: panem et vinum superesse, just as the position, Christus est angularis lapis, supposes of course that Christ is still Christ. For: non constare poterit affirmatio omnis, parte subrata. But an affirmation consists of the parts subject and predicate; if the subject be denied, so is the predicate. On this logical rule Lanfranc, c. 7, remarks: that instead of the particularis negativa, the universalis must be inserted: nulla affirmatio constare poterit parte subrata, otherwise there would be in the syllogism, duae particulares praecedentes, from which it would be impossible to draw any regular conclusion. On the other hand, Berengarius MS. p. 74: Si quid secundum negligentiam dixi, non me multum poenituerit: circa rem ipsam nec transeunter agis. Another form of the same argument MS. p. 50: Omne, quod est aliud, est in eo, quod aliquid est, nec potest res ulla aliquid esse, si designat ipsum esse. As if I should say: Socrates justus est, nullo modo Socrates justus erit, si Socrates esse non contigeret.

¹⁸ How loosely this was apprehended at first is proved by Epist. Ascelini ad Bereng., where it is first said, panem et vinum vere carnem et sanguinem potentialiter creari, next: hoc, quod in altari consecratur, unitur corpori illi, quod ex Maria virgine redemptor assumxit. Berengarius ad Adelm. Fragn. iii. thus sets forth the opposition of the two opinions: Mea vel potius Scripturarum causa ita erat, panem et vinum mensae dominicae non sensualiter, sed intellectualiter; non per assumptionem, sed per assumptionem; non in portiunculan carnis—sed in totum converti Christi corpus et sanguinem. That the portiuncula carnis is not a disfigurement (as Stäudlin, in Arch. S. 70, ff. says), but that the dogma while in the course of development was frequently apprehended thus coarsely, is taught *inter alia* by the narration of the syn. Attributensis, ann. 1025 (Mansi, xix. 434). that the host had once presented itself as partem digitii auricularis sanguine cruentatam. Here an advancement is shown by the expositor canonis Missae secundum Petrum Damiani, in A. Maji Scriptt. vet. nova collectio, vi. ii. 211 (but which on account of its title can not be looked on as a work of Peter, but was probably composed soon after his death), where so much stress was laid on his authority, in this controversy, see below, note 22. Comp. this expositor, § 4, p. 213: Sicut et vidua Sareptana quotidie comedebat, et non diminiebatur farina de hydria et oleum de lecytho, sic universa Ecclesia quotidie sumit

by his opponents. He had still friends, it is true; ¹⁹ but from the nature of the case they were not so fanatical ²⁰ as the adherents

et nunquam consumit carnem et sanguinem Domini nostri J. Chr. Verum an partes in partes, an totum in totum transeat, novit ille qui facit: ego quod residuum est, igne comburo: nam credere jubemur, distinguere prohibemur. Sed quia instat quaerentis improbitas, salva fide concedemus, quod talis panis in tale corpus commutatur, nec pars in partem. Reor tamen salva fidei majestate, quod ubi panis est consecratus, totus est Christus in tota specie panis, totus sub singulis partibus, totus in magno, totus in parvo, totus in integro, totus in fracto sacramento (so I read instead of scio tamen), quod dicitur a quibusdam: quamdiu species integra est, sub totali specie totale corpus existit; ubi vero dividitur, in singulis divisionibus incipit esse totum: sicut in speculo, dum est integrum, una tantum apparet insipientis imago; sed ipso fracto tot apparent imagines, quot sunt fracturae. Here, too, we meet with the first occurrence of the word transubstantiation, c. 7, p. 215.

¹⁹ Berengarius MS. p. 27: Quod nomen Ecclesiae totiens ineptorum multitudini tribuis, facis contra sensa majorum:—quod dicis, omnes tenere hanc fidem—contra conscientiam tuam dicis, quam latere non potest, usque eo res ista agitata est, quam plurimos aut paene infinitos esse cujuscunque ordinis et dignitatis, qui tuum de sacrificio Ecclesia execrentur errorem, atque Pascasi Corbejensis monachi.

²⁰ Guitmundi de Corp. et Sang. Chr. lib. i.: Nam Berengariani omnes quidem in hoc conueniunt, quia panis et vinum essentialiter non mutantur, sed ut extorquere a quibusdam potui, multum in hoc differant, quod alii nihil omnino de corpore et sanguine Domini sacramentis istis inesse, sed tantummodo umbras haec et figuram esse dicunt: alii vero rectis Ecclesiae rationibus cedentes—dicunt ibi corpus et sanguinem Domini revera, sed latenter contineri, et ut sumi possint, quodammodo (ut ita dixerim) impanari. Et hanc ipsius Berengarii subtiliorem esse sententiam ajunt. Alii vero, non quidem jam Berengariani, sed acerrime Berengario repugnantes, argumentis tamen ejus, et quibusdam verbis Domini paulisper offensi—solebant olim putare, quod panis et vinum ex parte putentur, et ex parte remaneant. Aliis vero—videbatur panem et vinum ex toto quidem mutari, sed cum indigni accedant ad communicandum, carnem Domini et sanguinem iterum in panem et vinum reverti. This individual independence is also expressed in the letters of his two friends. Epist. Paulini primicerii Metensis ad Bereng. (in Martene et Durand. Thes. anecd. i. 196): Quod in scriptis tuis de Eucharistia accepi, secundum eos, quos posuisti auctores, bene sentis et catholice sentis. Sed quod de tanta persona sacrilegum dixisti (see above, note 9), non puto approbandum.—Rogamus etiam, ut sobrie in Domino semper sapias, neque profunditatem Scripturarum, quibus non oportet, margaritas scilicet porcis projicias. Comp. the excellent Epist. Eusebii Brunonis Ep. Andegavensis ad Bereng. (prim. ed. Claud. Menardus in Augustini adv. Julian. libb. ii. posteriores. Paris. 1616. 8. p. 499, ss.) : Fratri et sincerae dilectionis cultu amplectendo consacerdoti Ber. salutem. Scripsistis, ad vos pervenisse—Gaufridum—praeconio publico ineptiae atque insania Lanfrancii suffragarii, et quibusdam interpositis obtestati estis, ut vos et ipsum sub judice audiri faciam in libro b. Ambrosii de Sacramentis. Super quod quid responsi—habeam patienter aequanimiterque advertite. Veritatis asserendae, an famae querendae gratia, nescio, Deus [scit], sit haec orta motaque quaestio, quae, postquam Romani orbis maximam paene partem peragravit, ad ultimum nos cum infami longinchorum ac vicinorum redargutione acerrime pulsavit. Contra quod—tale responsionis elegi temperamentum: quod a veritatis tramite nullo erroris diverticulo deviaret, et universalis Ecclesiae sublimioribus, et dignitate et eruditione, personis—scandalum jure incutere minime deberet.—Relictis turbulentis disputationum rivulis de ipso veritatis fonte—necessarium dicimus haurire. Quod est: Dominus Jesus pridie quam pateretur, etc." Panem post consecrantis in haec verba sacerdotis sacerationem verum corpus Christi, et vinum eodem modo verum sanguinem esse credimus et confitemur. Quod se quis hoc qualiter fieri possi tinquirat, non ei secundum naturae ordinem, sed secundum Dei omnipotentiam respondemus;—si vero aliquis, quid de hac re Patres Doctoresve nostri senserint—a nobis requirerit, ad

of the marvelous doctrine. As is always the case in barbarous times, fanaticism prevailed in the present instance also.²¹ Even the all-powerful Gregory VII., who manifestly favored Berengar, was not able to stem the tide. At the synod of *Rome* (1078) he attempted to restore Berengar's orthodoxy by means of a confession of faith couched in general terms;²² but he was compelled

corum libros—eum mittimus, ut quid ibi invenerit, diligenter legat—et quod accommodatus evangelicae veritati senserit, cum gratiarum actione et studio fraternae concordiae sibi eligat. Porro nos non Patrum scripta contemnentes, sed nec illa, ea securitate, qua Evangelium legentes—eorum sententiis—in tantae rei disceptatione abstinemus, ne si Patrum sensa aut aliquo eventu depravata, aut a nobis non bene intellecta, aut non plene inquisita, inconvenienter protulerimus, etc.

²¹ Comp. the tumult at the council of Poitiers, 1075, Chron. S. Maxentii oder Malleacense (written about 1140) in Ph. Labbe Nov. bibl. MSS. Codicem, ii. 212: Anno aerae Christ. MLXXV. Pictavis fuit concilium, quod tenuit Giraudus legatus de corp. et sang. Domini, in quo Berengarius—ferme interemptus, est.

²² Berengar. Acta conc. Rom. (Mansi, xix. 761): Juramentum Bereng. factum Romae in ecclesia Lateran. de Eucharistia temp. Gregorii P. VII.: “Profiteor panem altaris post consecrationem esse verum corpus Christi, quod natum est de Virgine, quod passum est in cruce, quod sedet ad dexteram Patris; et vinum altaris, postquam consecratum est, esse verum sanguinem, qui manavit de latere Christi. Et sicut ore pronuncio, ita me corde habere confirmo, sic me adjuvet Deus et haec sacra.” Scriptum istud, cum Romae apud Papam moram facerem, in conventu Episcoporum, quem habuit in festivitate omnium Sanctorum, vociferatione multa omnibus pronunciari fecit, dicens sufficere debero his, quibus lac potus dandus esset, non cibus.—Inclamans populo, me non esse haereticum, ita me de Scripturis, non de corde meo habere; omnibus testificans, in audiencia sua Petrum Damiani—non consensisse de sacrificio Ecclesia dictis Lanfranni,—negligenda esse ea, quae diceret Lanfrannus, potius quam ea, quae diceret Petrus Damiani Romanae Ecclesiae filius (but even the opposite party appealed to Peter Dam. who died 1072, see note 18). Ita Papa ille, cum quo moras paene per annum feceram, compescitam putare visus est et compositam vecordiam turbæ turbatae, etc. In the mean time the opposite party was not yet quiet: Cum tamen urgerent Papam illum quam maxime pestilentes et Scripturarum perversores, ut exigerebat a me moras adhuc Romae facere usque ad conventum, qui futurus erat apud eum in Quadragesima Episcoporum,—sperantes tunc frequentiorem adfuturam turbam, et aliquid ulterius contra veritatem valitum tumultum ineptorum, etc. Et ita circa quaedam per Papae inconstantiam, quoad sperabat turba, rei exitus habuit. Yet Gregory assured Berengar only a few days before the second council, p. 766: Ego plane te de Christi sacrificio secundum Scripturas bene sentire non dubito, tamen quia consuetudinis mihi est, ad b. Mariam de his, quae me movent, recurrere, ante aliquot dies imposui religioso cuidam amico—jejunii et orationibus operam dare, atque ita a b. Maria obtinere, ut per eum mihi non taceret—quorsum me de negotio, quod in manibus habebam de Christi sacrificio, reciperem, in quo immotus persisterem. Religiosus vir—a b. Maria audivit,—nil de sacrificio Christi cogitandum, nihil esse tenendum, nisi quod haberent authenticæ Scripturae, contra quas Berengarius nihil habebat. Hoc tibi manifestare volui, ut securiorem ad nos fiduciā et alaciorem spem habeas. Ita erraticis consensum meum, ne secundum opinionem eorum quod legeram interpretarer, negavi. This was objected to Gregory particularly by Henry IV.'s party: Benno de vita Hildebrandi lib. i. (in Goldasti Apologiae pro Henrico IV. Hanoviae. 1611, p. 3): Jejunium indixit Cardinalibus, ut Deus ostenderet, quis rectius sentiret de corpore Domini, Romane Ecclesia an Berengarius, since dubius in fide, infidelis est. Egilberti Archiep. Trevir. Epist. adv. Gregor VII. (Udalrici Babenb. Cod. epist. no. 160, in Ecardi Corpus historicum medii aevi, ii. 170): En verus pontifex et verus sacerdos, qui dubitat, si illud quod sumitus in dominica mensa, sit verum corpus et sanguis Christi.

at a second synod held at Rome (1079) to demand of him a confession of faith acceptable to the stricter party.²³ By this means he succeeded at least in procuring quiet for him;²⁴ for, though Berengar immediately recalled his forced confession, he was allowed to remain quietly in retirement on the island *St. Come* near Tours, till his death in the year 1088.²⁵

²³ Berengarii Acta, l. c. p. 762 : *Papa, qui in conventu illo in festivitate omnium Sanctorum, scriptum suprapositorum multa vociferatione fidei sufficere debere, omnibus pronunciari fecerat, nihil scripto demi, nihil a calumniatoribus addi permiserat, usque eo dejectus est importunitate Paduani securae, non Episcopi, et Pisani non Episcopi, sed Antichristi;—ut permitteret calumniatoribus veritatis in posteriori quadragesimali concilio scriptum, a se firmatum in priori festivitate oo. SS., Episcoporum consessu, scripto mutari hujusmodi ; “Corde credo et ore confiteor, panem et vinum, quae ponuntur in altari, per mysterium sacrae orationis et verba nostri Redemptoris substantialiter converti in veram et propriam et vivificatricem carnem et sanguinem Jesu Christi Domini nostri, et post consecrationem esse verum Christi corpus, quod natum est de Virgine, et quod pro saluto mundi oblatum in cruce peperit, et quod sedet ad dexteram Patris, et verum sanguinem Christi, qui de latere ejus effusus est, non tantum per signum et virtutem Sacramenti, sed in proprietate naturae, et veritate substantiae.” Ego charta correpta—perpendi, ad sanum intellectum utcunque posse reduci et “substantialiter” et caetera verba, quae in scripto erratici posuissent suo, respondi, quia ita placeret domino Papae, me “substantialiter” additurum. Namely substantialiter might also be understood salva sua substantia, therefore : panis sacratus in altari salva substantia est corpus Christi, i. e., non amittens quod erat, sed assumens quod non erat.—Quod in scripto suo erratici addiderunt “per mysterium orationis,” revera contra se scripserunt, quia nihil per mysterium agi poterit, nisi aliud expositum latens habuerit, et quod expositum in hoc negotio Sacramentum, et quod latet res Sacramenti accipitur. After he had done, however, ad interpretationem meam, non ad ipsorum me legere inclamaverunt, ut etiam hoc juramento firmarem, nec (leg. me) secundum eorum sensa scriptum, quod tenebam, deinceps interpretaturum. But he availed himself of the evasion: me ea, quae ante paucos dies mecum inde Papa egerat, sola tenere. See above, note 22.*

²⁴ See Literae commendatitiae Gregorii VII. datae Berengario (in d'Achery Spicileg. iii. 413)—Omnibus b. Petro fidelibus.—Notum vobis omnibus facimus, nos anathema fecisse—omnibus, qui injuriam aliquam facere presumserint Berengario, Romanae Ecclesiae filio,—vel qui cum vocabit haereticum; quem post multas, quas apud nos, quantas voluimus, fecit moras, domum suam remittimus, et cum eo fidelem nostrum Fulconem nomine.

²⁵ The respect in which the memory of Berengarius was held in Tours (comp. especially his disciple's Hildeberti epitaphium in Bereng. ap. Wilhelm. Malmsb., ap. Baron. ad ann. 1088), also the yearly festival at his grave (Mabillon. Act. SS. Bened. saec. vi. P. ii. praef. no. 68) gave rise in later times to the assertion that he had at last turned from his error. Mabillon, l. c. no. 63, ss. Hist. lit. de la Fr. viii. 213, ss. On the other side Mosheim Institut. hist. eccl. p. 431, note x. Lessing, S. 177, ff. The contemporary Bernaldus in Chron. ad ann. 1083 expressly asserts the contrary.—Of Berengar's doctrine we always find only one-sided views, as, *Sacramentum non esse revera corpus Christi et sanguinem, sed veri corp. et s. figuram* (Trithem. Chron. Hirs. i. 194, etc.). Hence also he is considered a heretic by Luther (Bekennsn. v. Abendmal Christi, 1528) and all the older Lutherans, but praised by the Calvinists. But after the discovery of many original documents even Mabillon, l. c. no. 34, ss. and Martene and Durand (Thes. nov. anecd. iv. 99), are of opinion that he only denied transubstantiation, but conceded the *praesentia realis*; which might have been more accurately determined after his work was discovered. Lessing, p. 152, ff.

FOURTH CHAPTER.

HISTORY OF MONACHISM.

Jo. Mabillonii Annales ord. S. Bened., libb. xxxv. lxii. Ejusd. Acta SS. ord. S. Bened.
saec. v. et vi.

§ 30.

CORRUPTION OF THE CONVENTS.

The monasteries suffered most in these rude times. The abuse of bestowing them as fiefs on persons not monks, reached its height.¹ From all sides rapacious hands were stretched out toward the possessions of the monasteries; while those who were abbots became worldly in their strivings after reputation and power.² Hence all discipline was neglected, disorders and excesses of all kinds prevailed among monks and nuns.³

¹ Comp. § 7, note 10, Epist. Episc. e synodo apud Carisiacum missa ad Ludov. Reg. Germ. A.D. 858 (in Caroli Calvi Capitul. tit. xxvii. ap. Baluz. ii. 101) cap. 8, that Charles the Bald bestowed many monasteries partim juventute, partim fragilitate, partim aliorum callida suggestione, etiam et minarum necessitate, quia dicebant petitores, nisi eis illa loca sacra donaret, ab eo deficerent, on laymen. Afterward they were even bestowed by inheritance without distinction of sex. Comp. Rudolf's (King of Upper Burgundy) document of 888, in Mabillon. Annal. app. ad lib. 39, no. 36, where he bestows on his sister Adelaide abbatiam Romanis in comitatu Waldense, ut haberet post discessum suum potestatem relinquendi cuicunque voluerit heredum suorum. To another Adelaide, daughter of Rudolf II., King of Upper Burgundy, Lotharius King of Italy, 938, gave for dowry among other things three abbeys (Mabill. Ann. lib. xlivi. no. 95). Of the Emperor Conrad II. (from 1024-1039) his biographer Wippo says (Scriptt. vi. rer. germ. ed. J. Pistorius, p. 432), Ernestus, Dux Alemanniae, aliquantulum Regi militans, Campidonensem Abbatiam—in beneficium accepit a Rege. And p. 437: Manegoldus Comes, miles Imperatoris, de Augensi Abbatia magnum beneficium (habebat) ab Imperatore. The bishops followed these examples, and Hatto, archbp. of Mainz (from 891-912) is said to have possessed as many as twelve abbeys.

² Comp. § 24.

³ Conc. Troslejan. ann. 909, cap. 3 (Mansi, xviii. 270): De monasteriorum vero non statu, sed lapsu quid dicere vel agere debeamus, jam paene ambigimus. Dum enim, mole criminum exigente—quaedam a Paganis succensa vel destructa, quaedam rebus spoliata, et ad nihil prope sint redacta, si tamen quorundam videntur superesse vestigia, nulla in eis regularis formae servantur vestigia. Sive namque monachorum, seu canonicorum, seu sint sanctimonialium, propriis et sibi competentibus carent rectoribus, et dum contra omnem Ecclesiae auctoritatem praelatis utuntur extraneis, in eis degentes partim indigenita, partim malevolentia, maximeque inhabilium sibi praepositorum faciente inconvenientia, moribus vivunt incompositi: et qui sanctitati religionique caelesti intenti esse debuerant, sui velut propositi immemores, terrenis negotiis vacant: quidam etiam,

§ 31.

REFORMATION OF MONACHISM.

First of all the rules of Benedict were restored in the convent *Cluniacum* (*Clugny*) that had been founded by Duke William of Aquitania, by the abbot *Berno*, A.D. 910.¹ But it was under the second abbot *Odo* (927–941),² who sharpened those rules by additions of his own, that the fame of this convent became general.³ He and his successor (*Aymardus*, till 948, *Mayolus*,

necessitate cogente, monasteriorum septa derelinquunt, et volentes nolentesque saecularibus juncti saecularia exercent. Nunc autem in monasteriis Deo dicatis monachorum, canonicorum et sanctimonialium, Abbates laici cum suis uxoribus, filiis et filiabus, cum militibus morantur et canibus.—Auditur, quod (monachi) spreta humilitate et abjectione monastica, ornamenti, et his etiam, quae bonis laicis indecentia et turpia sunt, operam impendant; et nequaquam contenti communibus rebus, propriis, et lucris turpibus inserviant, etc. Hence Odo Abb. in collectionibus inveighs against the monks who had isolated property, ex. gr. lib. ii. c. 34, 36; and against those, qui ad sacculum relabuntur, lib. iii. c. 17, ss. Of two nuns he relates, iii. c. 21: Ad hoc autem egredi permissae sunt, ut de rebus parentum, qui forte nuper obierant, aliquid monasterio reportarent. Sed hac occasione saeculum pergustantes oblita sunt Deum.—Camp, abbot of Farfa (about 930), and his assistant Hildebrand concubinis, quas prius habuerant occulte, postmodum palam abuti cooperunt non solum ipsi, sed et cuncti illorum Monachi hoc scelus non verebantur patrare. sed nuptialiter unusquisque suam ducebat scortam. Camp himself, vii. filias et iii. filios habuit, quos et quas cunctos dotavit de rebus Monasterii, et alios parentes plurimos (see Hugo de Destructione monast. Farsensis, written about 1004, in Muratori Antiqu. Ital. med. aevi, vi. 279). The same thing took place at this time in the monastery of Sens among six abbots. See Richerii (about 1250) Chronicon Senoniense, ii. c. 18 (in d'Achery Spicilegium, ii. 617): Monachi—impudicis se actibus, comessationibus, ebrietatibus, ac caeteris mundi delectationibus implicabant, nec erat qui corrigeret.—Quaesivit sibi quisque domunculam, ubi non regulariter, sed voluntate propria sibi conversari quiet.—Victu deficiente et vestitu decreverunt more rusticorum agricultores fieri, ut ita saltim possent inopem defendere vitam.

¹ Bibliotheca Cluniacensis, in qua SS. Patrum Abbatum Cluniac. vitae, miracula, scripta, caet., cura Mart. Marrier et Andr. Quercetani. Paris. 1614. fol. Planck, iii. 697. Raumer's Gesch. d. Hohenstaufen, vi. 399. F. Hurter's Geschichte Papst Innocenz III. Bd. 4 (Hamburg. 1842), S. 103. Essai hist. sur l'Abbaye de Cluny par M. P. Lorain. Paris. 1839. 8. Bernonis vita in Mabillon. Act. SS. ord. Bened. saec. v. p. 66, ss. Wilhelm's original document (testamentum) ibid. p. 78. The conclusion is remarkable: Sintque ipsi monachi cum omnibus praeditis rebus sub potestate Bernonis Abbatis: post cujus decessum monachi facultatem habeant alterius Abbatis eligendi, quemcumque sui ordinis voluerint, secundum placitum Dei et regulam S. Benedicti, ita ut nullius potestatis contradictione haec electio impediatur; sitque hic locus subjectus soli Romanae Ecclesiae, cui per singula quinquennia x. solidi ad luminaria Apostolorum persolvantur.

² Odonis vita libb. iii. by his pupil John, ap. Mabillon, l. c. p. 150, ss. Comp. Hist. lit. de la Fr. vi. 229. His ascetic writings (among them Collationum, lib. iii. and Moralium in Job. libb. xxxv. extracted from Gregory the Great) in Bibl. PP. Lugdun. xvii. 252; comp. Bähr's Gesch. d. röm. Lit. im karol. Zeitalter, S. 538.

³ The ritus et consuetudines Cluniacenses were first written down in the eleventh century, by Bernhard, monk at Clugny (Ordo Cluniacensis per Bernardum libb. ii. in Vetus

till 994, *Odilo*, till 1048)⁴ soon became objects of pious wonderment, and were constantly called to found new convents and to reform old ones.⁵ Thus originated, in the order of the Benedictines, the first Congregation (*Congregatio* or *Ordo Cluniacensis*), a particular association of many convents under a common head, the abbot of Clugny.⁶ From this time lay abbots gradually disappeared in France.

In *Italy* the reformation of monachism was begun somewhat later by *Romualdus*, who founded the hermit order of Camaldulensians at *Camaldoli* (*Campus Maldoli*, *Camaldulum* in the Apennines near Arezzo) about 1018 († 1027);⁷ and *John Gualbert*, from whose hermitage in *Vallombrosa* (*Vallis umbrosa*, also in the Apennines, not far from Florence) († 1093) originated the coenobites of Vallombrosa, about 1038.⁸

In *Germany*, the attempts to bring about a similar reformation proved fruitless for a long time, from the obstinate attachment of the monks⁹ to a free mode of life, and from the political posi-

disciplina monasterica s. Collectio auctorum qui de monastica disciplina tractarunt (*Opera Marqu. Herrgott*). Paris. 1726. 4. p. 133: then about 1070 by Ulrich, monk in Clugny, for William, abbot of Hirschau (*Antiquiores consuetudines Cluniacensis monasterii*, lib. iii. in *d'Achery Spicil. i.* 641). Particularly remarkable (ap. Ulrich, lib. ii. c. 3), the unbroken silence in ecclesia, dormitorio, refectorio, et coquina. Hence the novice opus habet, ut signa diligenter addiscat, quibus tacens quadammodo loquatur. C. 4, these signa loquendi are described.

⁴ *Odilonis vita* by his pupil Jotsaldus (falsely called Lotsaldus), of which that of Petrus Damiani (in his Opp. ed. Cajetani, ii. 193) is a mere extract. Both in the *Act. SS. ad 1 Jan.*, that of Jotsaldus better in Mabillon. *Act. SS. ord. Bened. saec. vi. i.* 597.

⁵ In doing which they often met with much opposition from the corrupt monks. This was the case with Odo, in *Fleury*, 930. Mabillon. *Ann. lib. xliii. no. 17*. Thus the monks at St. Martialis, in Limoges, resisted still in 1063, and were obliged to be brought into order by Petrus Damiani, as papal legate. See *Petri Dam. Iter gallicum*, in *Maji Scriptt. vett. nova coll. vi. ii.* 204. Out of France also several convents assumed gradually the *consuetudines Cluniac.* So Farfa, near Rome, 998. Mabill. lib. lii. no. 72.

⁶ The smaller convents, called *cellae* and *obedientiae*, were governed only by *coabbates* or *proabbates*. Mabillon. lib. l. no. 19. Clugny was *Archimonasterium*; its abbots, *Archiaabbates*.

⁷ *Romualdi vita* by Petrus Damiani in *P. Dam. Opp. ed. Cajetani*, ii. 205 (according to the arbitrary alteration of Surius in Mabill. *Act. SS. ord. Bened. saec. vi. i.* 247; comp. Pertz, vi. 847). The rules of the Camaldulensians in *L. Holstenii Cod. regularum monast. ii.* 192; comp. Hurter's *Innocentius III. iv.* 128.

⁸ *Joan. Gualberti vita* in *Mabillonii Act. SS. saec. vi. ii.* 273. Comp. *Jo. Lamii Deliciae eruditior. ii.* 238, 272. *iii.* 177, 212, etc. Hurter's *Innoc. III. iv.* 133.

⁹ Comp. Widukind's, monk in Corvey (about 960), characteristic narrative in his *Rebus gestis Saxon. ii. 37* (ap. Pertz, v. 448): *Gravis persecutio monachis oritur in diebus illis [about 940], affirmantibus quibusdam Pontificibus, melius arbitrari, paucos vita claros, quam plures negligentes inesse monasterii oportere: obliiti, nisi fallor, sententiae patris familiae prohibentis servos zizania colligere, sed utraque crescere oportere et zizania et triticum usque ad messem. Quo factum est, ut plures propriae infirmitatis concii, deposito habitu,*

tion of the convents. At last, however, the examples furnished by France and Italy had their effect here also. *Hanno*, archbishop of Cologne, reformed the monastery of Siegburg (1068), which he had founded, and others besides; and in this course he was pretty generally followed by the bishops on the left bank of the Rhine.¹⁰ *William*, abbot of Hirschau, established *the Congregation of Hirschau* (*Congreg. Hirsauensis*, 1069), on the model of that of Clugny. He died in 1091.¹¹

et relictis monasteriis, grave onus sacerdotum devitarent. Fuerunt autem quidam, qui summum Pontificem Fridericum (Archiep. Mogunt.) hoc non pure, sed ficte fecisse arbitrati sunt, quatenus venerabilem virum Regique fidelissimum Abbatem Hadumarum quoquomodo posset dehonestaret. Erluin, abbot of Gembloours, who wished to reform the abbey Laubes, in the diocese of Cambray, was nearly killed by the monks, and finally blinded (958), and Fulcuin (from 965 abbot of Laubes) de Gestis Abbatum Lobiensium, c. 26 (in d' Achery Spicileg. ii. 739) seems to throw the blame only on Erluin, for which he was severely reproved by the Anonym. Gemblacensis (about 1100) (*ibid.* p. 761, s.). Abbot Godehard, about 1005, wishing to reform the monks in Hersfeld, primitus eis juxta regulare praeceptum duriora et aspera mandata proposituit, et licentiam eis ad preces Metropolitanani, aut secum haec celebrandi, aut quo vellent discedendi contribuit. Qui statim unanimiter conspirati simul omnes, paucis tantum senioribus vel puerulis remanentibus, egressi per diversa loca varie sunt dispersi. However, they gradually returned, probably from necessity, vita Godehardi Ep. Hildesheimensis in Mabillon. Acta SS. ord. Bened. saec. vi. i. 356. and in Leibnitii Scriptt, rer. Brunsy. i. 486. Popo, about 1025, at first abbot in Stablo, then in St. Maximin at Treves, had to suffer much from the monks in both monasteries, because he attempted to reform them. Those in St. Maximin went so far as to put his life in jeopardy. See vita Popponis ap. Mabillon. l. c. p. 511: Cumque sibi sub eo illicita jam non licere—conspexissent, de ejus morte plura machinantur, et quod palam non poterant, quibusdam praestigiarum suarum insidiis operantur. Ad quod, nefas dictu, sacro-santa Missarum sollemnia violando, suis occupant divinationibus, et quas preces credebant, in immunditia et sanguine manuum suarum execrandis admiscent incantationibus,—tam exsecrabilis quam invida eosque perducuntur exagitatione, ut in apponendis beato viro cibis et potibus venenorum suorum uterentur admixtione. Even Theodorich, abbot of St. Hubert in the Ardennes, had to contend violently against the open resistance of his monks, when he wished to restore order in his monastery, A.D. 1054, till a judicial miracle came to his aid. See vita Theodorici in Mabillon. Act. SS. ord. Bened. saec. vi. P. ii. p. 369, ss. Hence, too, we can explain the fact of there being men at this time, qui vel monachico, vel canonico, vel etiam græco habitu per regiones et regna discurrunt. See vita Godehardi no. 26, ap. Mabillon. l. c. saec. vi. P. i. p. 363.

¹⁰ Lambertus ad ann. 1075, ap. Pertz, vii. 238. Judgment of Lambert, an old Benedictine, ad ann. 1071, p. 188: Sicut vulgo assiduitate vilescent omnia et popularium animi novarum rerum avidi magis semper stupent ad incognita, nos quos usu noverant, nihil aestimabant, et hos, quia novum inusitatumque aliquid præferre videbantur, non homines sed angelos, non carnem sed Spiritum arbitrabantur. Et haec opinio principum quam privatorum mentibus altius pressiusque insederat. A quibus ad populum derivatus rumor tantum terroris plerisque in hac regione monasteriis injecit, ut ad ingressum illorum alias 30, alias 40, alias 50 monachi, austerioris vitae metu scandalizati de monasteriis abscederent. Lambert had been for a long time in the monasteries of Siegburg and Saalfeld, for the purpose of learning the new discipline, and came to the conclusion, nostras quam illorum consuetudines regulæ S. Benedicti melius congruere, si tam tenaces propositi, tamque rigidi paternarum nostrarum traditionum aemulatores vellemus existere.

¹¹ S. Wilhelmi Constitutiones Hirsauenses, in Vetus disciplina monastica (ed. M. Hergott), Paris. 1726. 4. p. 375, ss. Respecting him see Bernoldi Chron. ad ann. 1091, ap.

To the new developments of monachism belonged the *donati* or *oblati*, who yielded up themselves, and what belonged to them, to the service of a monastery;¹² the *fratres conversi*, lay brethren, who had under their care the household department, and lived in part on the possessions of the monasteries, but scattered round among them;¹³ and the *fratres conscripti, confratres*, to whom was allowed a share in the spiritual blessing of the brotherhood.¹⁴

Pertz, vii. 451. Jo. Trithemii († 1516) *Annales Hirsaugienses*, i. 225: *Hic est Wilhelmus Abbas,—qui Ordinem D. P. nostri Benedicti suo tempore paene collapsum in Germania. et deformatum insolentia monachorum, instaurare et reformare studuit, et plus quam c. Monasteria tam per se quam suos, ad pristinam regularis disciplinae observantiam revocavit, etc.* He adopted much from Clugny (see note 3). A thank-worthy regulation was (ann. Hirsaug. i. 227): *xii. e monachis suis scriptores optimos instituit, quibus ut divinae auctoritatis libros, et SS. Patrum tractatus rescriberent, demandavit. Erant praeter hos et alii scriptores sine certo numero, qui pari diligentia scribendis voluminibus operam impendebant. Et his omnibus praererat monachus unus in omni genere scientiarum doctissimus, qui unicuique rescribendum opus aliquod bonum injungeret, mendaque negligentius scribentium emendaret.*

¹² The first instance appears at Clugny, 948, Mabillon. Ann. lib. xlvi. no. 4. Later in Germany, Bernoldi Chron. ad ann. 1091, ap. Pertz, vii. 452: *His temporibus in regno Teutonicorum communis vita multis in locis floruit, non solum in clericis et monachis,—verum etiam in laicis. Nempe ipsi abrenunciantes saeculo, se et sua ad congregaciones tam clericorum quam monachorum regulariter viventium devotissime contulerunt, ut sub eorum obedientia communiter vivere et eis servire mererentur.* So especially in the congregation of Hirschau (Chron. Hirsaug. i. 229), see Dufresne Glossar. s. v. *oblati*.

¹³ Gualbert first permitted them (see note 8), comp. his Vita, c. 21: *Deus—misit ad eum etiam laicos viros timoratos, qui legem Domini per omnia custodire cupientes, in bonis moribus fere nihil a monachis distabant, extra vestium qualitatem et silentium, quod in exterioribus occupati nequibant plenius observare. Tales igitur tam probatos adversos Pater ad mercatum et omnia exteriora secure mittebat.* William immediately followed the example in the Hirschau congregation (Chron. Hirsaug. i. 228). Here they are called *fratres barbati* (the monks were not allowed to wear a beard), *qui laboribus manuum insistentes, temporalium curam secundum praecepta seniorum agerent, et monachis contemplationi deditis hujus vitae necessaria providerent.* Among them were carpenters, smiths, stone-cutters, masons, tailors, shoemakers, etc. Other orders, too, soon followed this example, Mabillon. Acta SS. saec. vi. P. ii. praef. no. 89, s. *Alteserrae asceticū, lib. iii. c. 5.*

¹⁴ Thus King Conrad I. 913, became a frater conscriptus in St. Gallen (Ekkehardi iv. Casus S. Galli, ap. Pertz, ii. 85), Henry II. in Clugny (fraternitate monachorum humiliter petita et accepta, vita Meinwerci, c. 30, in Leibnitii Scriptt. rer. Brunsv. i. 527), he and his successors in the monastery Fructuaria (Fructuariense coenobium—nos nostrosque in perpetuum successores, prout diviae memoriae praedecessorem nostrum, Henricum, suo ac fratrum contubernio sociavit, diploma Conradi II. in Mabillonii Act. SS. saec. vi. i. 349). Even the empress Gisela, spouse of Conrad II., monasterium S. Galli ingressa, xenis benignissime datis, fraternitatem ibi est adepta, Hependannus ad ann. 1033, in Goldasti Scriptt. rer. Alem. i. i. Comp. also the Liber fraternitatum monasterii Sangallensis ap. Goldast, L. c. ii. 144.

§ 32.

EXEMPTIONS OF THE CONVENTS.

L. Thomassini *Vetus et nova Eccl. discipl.* P. i. lib. iii. c. 36, ss. Planck, iii. 724.

The privileges granted to the convents by kings, popes, and bishops, during this period, went no farther than merely to secure them in the observance of the rules of their order,¹ and were not meant to abridge the rights of the episcopal order.² Hence bishops still required canonical obedience³ from abbots, and did

¹ Comp. the privilege given by Pope John XV. to the convents of Corvey and Herford, 989, in Schaten *Annalium Paderborn.* i. 335. Mansi, xix. 83: *Habeant praefata monasteria rerum suarum liberam in omnibus disponendi regulariter potestatem:—confirmamus, ut nullus Episcopus Patherbrunnensis aliquam ex eis vel accipiat vel exposcat portionem: neque vel in his, qui regiminis locum tenent, vel in ipsis congregationibus, aut in ipsis coenobii potestatem obtineat.* Nam ipsius praefati monasterii Abbatii suisque successoribus licentiam damus, juxta altare sedendi populoque infra suum monasterium vel cellas secundum Deum praedicandi ac docendi; ita ut nullus Episcopus per se ad ipsa monasteria vel cellas eorundem—potestatem habeat accedendi, nisi forte necessitatis causa vel dilectionis gratia vocatus advenerit, ne importunitate sui ministorumque suorum inquietudino sacris locis fiat molestia. *Ordinationes, quae necessariae fuerint ipsis monasteriis, agere non differat; altaris quoque et basilicarum benedictiones sive consecrationes libenter concedat; chrisma quoque oleumque consecratum per singulos annos præbere non differat, et pro his omnibus nullum munus exigat.* Abbatem vero et Abbatissam in his locis semper eligendi habeant potestatem [monasteria]:—qui ordinati fuerint ad regimen saepredictorum monasteriorum, nulla potestate prævalente dejiciantur, nisi criminis causa fuerint reprehensi. *Infamiae vero maculis, sive criminis aliquujus denotatione si fuerint appetiti, non præter canonicam aut regularem deponantur examinationem.* Nos igitur nostram subscriptionem anuuli nostri impræssione signantes, obsecramus Coëpiscopos nostros omnes, in quorum manus ista devenerint, ut sua etiam auctoritate et subscriptione haec confirmare velint, ut quicunque haec temerare præsumserit, generalitatibus nostræ sententiis ita anathematis vinculo obligetur, ut neminem habeat, de cuius favore blandiatur, aut se tueri putet a sententia damnationis. On the alleged exemption-privileges of Fulda, see Rettberg's *Kirchengesch.* Deutschl. i. 613.

² Therefore the superintendence of the morals, and the visitation of the convents, was still made the duty of bishops by the concil. Tullense apud Saponarias, ann. 859, can. 9 (Mansi, xv. 539), Rotomag. ann. 878, can. 10 (in Harduin. *Act. conc. vi. i. 206*), Augustanum ann. 952, can. 6 (Mansi, xviii. 438).

³ Thus the bishops of Orleans, Arnulf and Fulco, had a controversy with the abbots of Fleury, Abbo and Gauzlinus (between 970 and 1020), because the latter refused to promise this obedience. On this point Fulbertus, Episc. Carnotensis, Ep. 41, ad Fulconem: *Sacramenta et caetera, quae ad mundanam legem pertinent, propter amorem Regis domini missa faciatis, ut religionem potius quam saecularem ambitionem vos sectari cognoscatis.* At si Abbas in tantam superbiam intumuerit, ut ipsam quoque subjectionem canonicam vobis derogare contendat; superbiae, cui non parcit Deus, Dei servus quomodo parcat nescio. When after this Fulco excommunicated Gauzlinus, Fulbertus, Ep. 73, wrote to the latter: *Unde nunc, frater, commoneo, ut—Episcopo vestro subjiciamini sicut decet.*—

not allow unusual privileges to the pope.⁴ When the monastery of *Clugny*, which had been assigned to the care of the pope in particular, by a Romish privilege attached to the original trust-deed at its foundation⁵ was about to be made completely independent of its bishop, the synod of *Anse* (1025) strongly opposed the first attempt to make it so.⁶ A second was more fortunate. Alexander II. pronounced (1063) the complete exemption of Clugny from its bishop,⁷ a privilege which was also granted to many other convents, especially to those associated with that of Clugny.

Ego enim neque legem, neque modum ratiocinationis invenire possum, quae vos ab iugo subjectionis hujus absolvat. Cf. Mabillon. Act. SS. ord. Bened. saec. vi. P. i. praef. § iii.

⁴ Hermani Contracti Chron. ann. 1032: Bern. Augiae Abbas missis Romanam coenobii sui privilegiis, a Papa Joannae item privilegium cum sandaliis, ut episcopilibus idumentis missas ageret, accepit. Unde permoto Warmanno Constantiense Episcopo apud Imperatorem quasi sui pervasor officii et honoris accusatus eo usque ab utrisque coartatur, donec idem cum sandaliis privilegium ipsi Episcopo traderet, publice in synodo sua, i. e., in Coena Domini sequentis anni incendendum.

⁵ Comp. § 31, note 1.

⁶ Conc. Ansanum, ann. 1025 (Mansi, xix. 423): Gauslenus, bishop of Macon, complains of Burchard, archbishop of Vienne, qui sine licentia et assensu suo contra canonum instituta ordinationes de monachis fecerat in Episcopatu suo, scil. in Cluniacensi coenobio. Abbot Odilo desires to justify him, ostendit privilegium, quod habebant a Romana Ecclesia, quod eis talem libertatem tribuebat, ut nulli, in cuius territorio degebant, nec alicui aliquatenus subjacerent Episcopo: sed quemcumque vellent, vel de qualibet regione, adducerent, qui faceret ordinationes vel consecrationes in eorum monasterio. But the fathers regentes s. Chalcedonensis, et plurimorum authenticorum, conciliorum sententias (comp. Vol. I. Div. II. § 120, notes 2 and 4), quibus praecepitur, qualiter per unamquamque regionem Abbates et Monachi proprio subesse debeant Episcopo, et ne Episcopus in parochia alterius audeat ordinationes vel consecrationes absque licentia ipsius Episcopi facere: decreverunt, chartam non esse ratam, quae canonicis non solum non concordaret, sed etiam contrariet sententiis. Thus the archbishop was ratione convictus, petens veniam a Gausleno Episcopo, etc.

⁷ While a new dispute between the bishop of Macon and the abbot of Clugny was decided at the synod of Chalons (A.D. 1063), by the papal legate, Petrus Damiani, in favor of the latter (Mansi, xix. 1025), Alexander, P. II. Ep. ad Hugonem Abb. Cluniac. (l. c. p. 273), declared himself to this effect: Sub divini judicij promulgatione, et confirmatione, et anathematis interdictione corroborantes decrevimus, ut nullus Episcopus, seu quilibet sacerdotum in eodem veniat coenobio, pro aliqua ordinatione, sive consecratione Ecclesiae, Presbyterorum, vel Diaconorum, Missarum celebratione, nisi ab Abbe ejusdem loci invitatus fuerit, venire ad agendum praesumat. Sed liceat monachis ipsius loci, cuiuscunque voluerint ordinationis gradum suscipere, ubicunque tibi tuisque successoribus placuerit. Interdicimus autem sub simili anathematis promulgatione, ut idem locus sub nullius cuiuscunque Episcopi vel sacerdotis deprimatur interdictionis titulo, seu excommunicationis vel anathematis vinculo (the date wanting here is supplied by Mabillon. Ann. Ben. lib. lxii. no. 12: Data in s. Lateranensi palatio vi. idus Maji—anno MLXIII. indictione i.). Cf. de Gallica profectione domini Petri Damiani, composed by a companion, in A. Maji Scriptt vett. nova coll. vi. ii. 193.

FIFTH CHAPTER.

HISTORY OF PUBLIC WORSHIP.

Martyrologies: Adonis Martyrologium about 858 (see above, pref. to § 18). Usuardi (monk of St. Germain, about 876) Martyrol. (Vgl. Bühr's Gesch. d. röm. Lit. im karol. Zeitalter S. 501) castigatius ed. J. B. Sollerius. Antwerp. 1714. fol. Notkeri Balbuli, monk in St. Gallen († 912, respecting him s. Ildef. v. Arx Gesch. v. St. Gallen, i. 90. Bühr, S. 531), Martyrologium (written 893) published in Canissii Lectt. ant. ed. Basnage, ii. iii. 89, and in Gallandii Bibl. PP. xiii. 753.

§ 33.

The worship of saints at this period completely swallowed up the worship of God, assuming the character to be expected from a rude, immoral, superstitious age.¹ Great numbers of old saints were discovered,² and new ones made.³ The world⁴ was full

¹ How deficient in moral character the worship of saints often was, is proved by the two following cases. Romualdus had lived as a hermit in the neighborhood of the abbey of Cusan, in Catalonia, and was held in great repute as a saint, throughout the whole country round about. When now he wished to return to Italy (*vita S. Romualdi*, by Petr. Damiani, c. 13, in his Opp. ed. Cajetani, ii. 212): *Audientes illius regionis incolae, quia Romualdus abire disposeret, nimio moerore turbati sunt. Et tractantes intra se, qualiter ab hac illum intentione reprimenterent, hoc illis tandem potissimum visum est, ut cum missis interfectoribus impia pietate perimerent, quatenus quia eum non poterant retinere viventem, haberent pro patrocinio terrae vel cadaver exanimare.* Romualdus saved himself by feigning madness. Bishop Othwin of Hildesheim stole (962), in Pavia, two saints' bodies, see *Hist. translationis S. Epiphani*, c. 3 (ap. Pertz, vi. 249): *Venerabilis pater (Othwinus) respectu divini amoris, quo semper animo sollicitus extiterat, ossa sanctorum furtim surripere—quasi praeumptionis duebat. Divinitus, ut credo, ecce adfuit Landwardi, Mindensis Episcopi, Presbyter,—qui illum adhuc titubantem—sanctissimi Patris Epiphani reliquias, sanctaeque virginis Speciosae uno ambitu templi inclusas auferre suasit; supervenientis noctis tempus, nec in aliud protelandum, illis competere.* And so it took place.

² Comp. the *passio decem millium* (al. *cccc.*) *Martyrum*, apud Alexandriam in Monte Ararat crucifixorum under Hadrian and Antoninus (*Act. SS. Juni* iv. 182), which Anastasius Biblioth. is said to have translated from the Greek. Papebroch puts it even in the thirteenth century (*ibid.* p. 179).

³ Canonization of Ulrich, bishop of Augsburg, A.D. 993, by John XV. (conc. Roman. ann. 993, ap. Mansi, xix. p. 169), the first example of papal canonization (*Mabill. praef. ad Acta SS. ord. Bened. saec. v. no. 99, ss.* F. Pagi *Breviarium Pontificum Rom.* ii. 257). Besides, the metropolitans, till 1153, still exercised the right of creating saints for their provinces (Pagi, l. c. iii. 115).

⁴ Instead of many, take one graphic example by an eye-witness: Glab. Radulph. iv. c. 3, A.D. 1027: *Homo plebejus mangonum callidissimus, who had a different name in each different place,—effodiebat e tumulis clancule ossa evellens a cineribus nuperrime defunctorum hominum; sicque imposita in diversis apophoretis venditabat apud plurimos pro SS. Martyrum seu Confessorum reliquiis. Hic vero post inumeras hujuscce illusiones in*

of relics and miracles,⁵ the fruit of fraud and pious simplicity,⁶ which were often a source of riches to the monasteries in particular, though at the same time they also led to irregularities.⁷

Gallii patratas perfuga venit ad loca Alpium. Illic ergo more solito noctu colligens a loco abjectissimo ignoti ossa hominis, quae posuit in cassella et feretro, dicebat sibi angelica ostensione revelatum fuisse, quem fingebat esse S. Martyrem nomine Justum. Mox quoque vulgus, ut se in talibus habere solet, ignavum, quicquid rusticanae plebis fuit, totum ad hanc famam confluit; poenitet insuper, si non est sibi morbus, quo curari de poseat. Tunc dicit debiles, confert munuscula, pervigil tenet excubias, praestolans repentina fore miracula, quae, ut diximus, aliquotiens permittunt fieri a malignis spiritibus tentatorie, peccatis hominum praecedentibus; quod tunc proculdubio evidentissime claruit. Multimodae quippe membrorum reformationes ibidem visae sunt exstitisse, ac insignia pendere oscillorum multiformia; nec tamen—Præsules—diligentiam hujus inquirande rei adhibuerunt: quin potius conciliabula statuentes, in aliquibus nihil aliud nisi inepti lucri quae situm a plebe, simul et favorem fallaciae exigebant. Margrave Mainfried bought the body to deposit it in a church just erected at Suze. At the dedication the impostor appeared, and spondebat, se multa pretiosiora ss. pignora in proximo revelaturum, quorum scilicet gesta et nomina, atque passionum certamina, ut caetera, fallaciter con fingebat. Glaber also was there, entered into conversation with him, and soon discovered the imposture. Still the pontiffs did not allow themselves to be in error, but went on, rite peragentes, ob quam venerant. Ecclesiae consecrationem, intromiserunt cum caeteris reliquiarum pignoribus ossa illius profani; the elegantiores virorum personæ siced with Glaber, and the people injusti nomen pro Justo venerans in suo permansi errore!

⁵ Especially since so many churches were built, and many relics for them were required (comp. § 27, note 9, at the end). Glab: Rad. iii. c. 6: Candidato, ut diximus, innovatis Ecclesiarum Basilicis universo mundo, subsequenti tempore, i. e., anno MVIII. revelata sunt diversorum argumentorum indiciis, quorums diu latuerant, plurimorum Sanctorum pignora. This began in Sens, where even a part of Moses' rod was found, virgæ Moysi partem. To the more considerable relics of this time belong the s. lacryma Christi in Vendome in the eleventh century. (J. B. Thiers Diss. sur la sainte larmé de Vendôme. Paris. 1699. 12. Mabillon Lettre à l'évêque de Blois. Paris. 1700. 8, and in his Oeuvres posthumes, t. ii. p. 361, ss.) Blood of Christ in Reichenau (Hermann. Contract. ad ann. 923: Sanguis Domini in Augiam Insulam a quadam matrona desertur, sicuti literis inibi manifestatur) and in Mantua (according to Regino discovered as early as 804; the s. lancea (hallowed by nails from the cross of Christ, procured about 935 by the emperor Henry I., Luitpr. iv. c. 24, ap. Pertz, v. 322, came among the crown-jewels, and was afterward regarded as the spear of Longinus), etc.

⁶ St. Benedict was distinguished uniformly for miracles, a description of which is given by three writers of that age; by Aimoinus Floriac. about 1000 (in Mabillon. Act. SS. sacc. iv. ii. 356), Desiderius Abb. Casinensis, afterward Pope Victor III. (ibid. p. 425, ss.) and Rodulfus Tortarius mon. Floriacens. about 1100 (ibid. p. 390). That there was no want of imposture besides may be seen from vita Godehardi Episc. Hildesheimensis († 1038), by his disciple Wolferus, no. 48 (in Mabillon. Act. SS. ord. Bened. sacc. vi. i. 372): Quaedam vanae mentis personæ in nostra patria usitato more per sacra loca discurrente, se aut caecos, aut debiles, aut elingues, vel certe obssessos temere simulant, et ante altaria vel sepulcra Sanctorum se coram populo voluntantes, pugnisque tundentes, sanatos illico se proclaimant, ea scilicet sola vesana voluntate, ut sic tantum majorem stipem vel quae stum a plebe percipient. Cum in hujusmodi fallacia tales liquido deprehenduntur, etiam verae Sanctorum virtutes in periculosam desperationem hac dubietate retrahuntur; vel certe et hi qui vere sanantur etiam non solum a perfidis sed et interdum a fidelibus fallere creduntur.

⁷ Hence strict abbots forbade all miracles in saints, comp. above, § 18, note 6. So the abbot Stephen, in Lüttich (1026-1059), in the case of St. Wolbodo: Hanc aliquando Sanctum per divinum nomen contestatus est, quo temperaret a miraculis, quibus tantæ fra-

As the Church now began to admit the ordeal generally,⁸ it also became usual to investigate the genuineness of relics by the fire-process.⁹ This was the age of *the Legend* as well as *the Romance*,¹⁰ and industrious monks dressed out the saints in the most arbitrary mode, with adventures and miracles.¹¹ After Diony-

tribus fiebant per occasionem infirmorum noctu et interdiu molestiae, see vita S. Wolboldonis in Mabillon. Act. SS. ord. Bened. saec. vi. i. 165. Guntramnus, abbot of St. Tron (1034–1055), acted similarly. See Chrou. Abbatae S. Trudonis lib. i. (in d'Achery Spicileg. ii. 662): Hujus vitae ultimis annis domini nostri Trudonis sepulcrum frequentissime coepit coruscare miraculis, quae ille studiosissime satagebat occultare: sagaci enim pectore concipiens quod futurum erat, signa data esse infidelibus non fidelibus (1 Cor. xiv. 22) dicebat: quod non longe post illum nonnulli de nostris experti sunt, qui inter ipsa quoque miracula Deum offendere non timuerint. Namely, lib. ii. p. 664: Defuncto eo [Guntramno] et succedente Adelardo II. (1055–1082) cooperunt haberi miracula et virtutes sepulcri S. Trudonis non tam timori et reverentiae, quam ostentui et populari gloriae. Frequentabat enim sepulcrum ejus infinitus peregrinorum numerus, neque diebus tantum singulis, sed singulorum dierum horis superveniebat multitudo multitudini, atque noctis medio grandisona faciebat venientium et abeuntium inquietatio. Vellent nollent fratres, per omnes claustrum irrumpebant partes: maxime quia aqua nostri—putei dicebatur potata in nomine S. Trudonis fieri medela atque fiebat accedentibus ad eam languidis. Sed et leprosi ibidem de ea loti referuntur nonnunquam fuisse curati. Quid multa! Oratorium, chorus, templum, claustrum, pratum nocte dieque non inveniebatur a multitudine vacuum, quorum perstre pentium continua inquietatio magnae fiebat molestiae et ordinis impedimento senioribus solitis et volentibus Deo servire in quiete et silentio. Juniores vero, quibus taedio erat religio, et disciplina odio, gratulabantur prius occulte, hac quasi necessitate se magistrac Regulæ mandatae praeterire: accessu vero temporis, et frequentissimo usu pregrinæ multitudinis tandem invercunda fronte cooperunt ad libitum cuncta agere, locorum indiferenter abutebantur qualitatibus, et horarum tam incompetentium quam competentium vicissitudinibus; seniorum increpationes indignant supercilios respuere, in ipsum quoque Abbatem interdum indecenter protervire, etc.—Quanto longius ferebatur relatione peregrinorum gloriae celebritas miraculorum S. Trudonis tanto et nostrorum reprehendebatur saecularitas ex levitate morum et abusione indiscipline.

⁸ See below § 36, note 2.

⁹ Comp. Vol. I. Div. II. § 121, note 4. Thus Meinwerk, bishop of Paderborn, had received the body of St. Felix, a present from the patriarch of Aquileia, A.D. 1030 (vita Meinwerci, § 109 in Leibnitii Scriptt. rer. Brunsvic. i. 560): et experiri volens, salutis ipsius auxilio si sibi suoque succurrere posset populo, rogum maximum in medio claustrum sub die fieri praecepit, in quem cum tertio corpus misisset, totiesque in favillam redactus ignis extinctus fuisse, cum maxima omnium exultatione et laudum jubilatione corpus manibus propriis excipiens, super principale altare detulit, et omnium venerationi solemnum sanctum illum deinceps habere instituit. Comp. Mabillon. de Probatione reliquiarum per ignem, appended to his lib. de Cultu SS. Ignotorum (also in his Vetera analecta, p. 568).

¹⁰ Comp. Hist. lit. de la Fr. vi. 12.

¹¹ Letaldus mon. Miciacensis (about 980) in Epist. dedicatoria ad Avesgaudum Episc. Cenoman. before his vita Juliani Episc. (in Act. SS. Januar. ii. 1152):—Cum magnae reverentiae gravitate dicenda et scribenda sunt, quae in conspectu veritatis recitari debent, ne, unde Deus placari creditur, inde amplius ad iracundiam provocetur; nihil enim ei placet, nisi quod verum est. Sunt autem nonnulli, qui dum attollere Sanctorum facta appetunt, in lucem veritatis offendunt, quasi Sanctorum gloria mendacio erigi valeat, qui, si mendacii sectatores fuissent, ad sanctitatis culmen nequaquam ascendere potuissent.—Cum ergo tam mira et speciosa de actibus hujus praecellentissimi Patris recito, non de meritis ejus diffido, nec de potentia Christi ambigo: sed cum haec eadem in aliis invenio, cui potius credendum sit, non perspicue video. Multa enim in actibus supradicti Patris

sius and his companions had been raised to the dignity of being disciples of the apostles,¹² a zeal arose among the French churches to procure like honor for their founders; a task which they accomplished the more readily because in the stormy times, the older narratives were frequently lost.¹³ Very characteristic of

conscripta sunt, quae et in bb. Clementis et Dionysii Martyrum et S. Furcaei Confessoris codem sensu et paene iisdem verbis inveniuntur. Thus, also, he puts Dionysius and his company, among whom Julian, first bishop of Mans, was at that time reckoned, in the time of Decius, after the authority of Gregor. Turon. (Vol. I. Div. I. § 57, note 2). Quod vero S. Julianus dicitur a b. Clemente destinatus, neque ratio temporum, neque veterum consensit auctoritas. Comp. Herigerus Abb. Laubiensis, about 990, in his *Gestis Pontiff. Tungr. Traj. et Leod. scriptores*, i. 28), which are elsewhere filled with the most monstrous fables. St. Servatius is said, indeed, to have descended from the family of Christ, but he was not able to discover any thing certain on the subject, idcirco nec faciles ad credendum esse possumus, nec tantae opinioni, quae fortasse ex pietate ingeritur, judicamus omnimodis derogandum, cum juxta Tullium non debeat pudere nos fateri nescire, quae nescimus, et hujus opinionis assertoribus conveniat ignorantium potius verecunde fateri, quam irreverenter pro pietate mentiri. Petrus Damiani de vita Romualdi in prologo (Opp. ed. Cajetani, ii. 206) : Nonnulli Deo se deferre existimant, si in extollendis Sanctorum virtutibus mendacium fligant. Thus it frequently happens that not only single actions of one saint are copied in the history of another, but whole legends are repeated with merely a change of the name. In this way the legend of St. Rictrudis is repeated as that of St. Eusebia (*Hist. lit. de la Fr.* vi. 259), the legend of St. Ebrulfus for that of St. Albertus (*ibid.* p. 557), also for St. Ebremundus (*ibid.* p. 514). Other examples *ibid.* p. 90, vii. 193, 194.

¹² See above, § 18, note 15. Comp. Vol. I. Div. I. § 57, note 2.

¹³ The Normans laid waste, 881, Liege, Tongern, Cologne, etc.; 882, Trier (Regino ad h. a.), by which, particularly at Treves, all the old records were lost. Comp. auct. anonym. *vita S. Felicis* (Act. SS. Mart. iii. 622) : In hujus autem ter felicis Sancti mentione, sicut in omnium fere Trevirensium Sanctorum recordatione repetitam saepius hujus urbis vastationem cogimur plorare, per quam constat ingentia SS. Patrum nostrorum vitae volumina ita penitus esse consumpta; quod, nisi ex paucissimis, ut ita dixerim, tanti pelagi guttis, in vetustissimis aliorum locorum schedulis, vel etiam in plumbeis ac marmoreis tabulis, terrae penitus infossis, aliquatenus reformata fuissent, organa nostra, velut super flumina Babylonis nostrae suspensa, jam dudum in horum laude Sanctorum continebissent. (Similar complaints in the legends of bishops Modoaldus Act. SS. Maj. iii. 52, and Maximinus Maj. vii. 32.) What was the character of that reformatio vitarum may be seen in the promotion of the three first bishops of Treves, Eucharius, Valerius, and Maternus, to the dignity of apostle-pupils, soon after that devastation at Treves (comp. Vol. I. Div. I. § 57, note 3). Of these three the only mention in the older martyrologies was ad 29 Januar. Treviris depositio Valerii Episcopi, then in the martyrologies of Ado, Usuardus, and Notker: Treviris depositio b. Valerii Episcopi discipuli S. Petri Apostoli (on this addition see Act. SS. Sept. iv. 362, probably in the same way as Boniface in Epist. Caroli Martelli and Capitul. lib. v. c. 2, is called Missus S. Petri). This was undoubtedly the foundation of the legend, first found in the vita SS. Eucharii, Valerii, Materni (act. SS. Januar. ii. 918, but not written as is said there by Goldscher, monk in Trier, about 1012, but probably) by Eberhard, monk and scholastic in Trier, † 909 (Act. SS. Sept. iv. 358), then in the Historia Trevir. (d'Achery Spicileg. ii. 208), in Herigeri Gesta Pontiff. Tungr. etc. (see note 10), and finally copied into all the chronicles of the middle age, for which even Methodius was afterward adduced as voucher (first by Marianus Scotus ap. Pistorius-Struve, t. i. p. 555, 563) (see above, § 18, note 15). Comp. Honthemii Hist. Trevir. diplom. t. i. praef. p. ix. ss. Acta SS. Sept. iv. 354. Walch de Materno uno in the *Commentationes Soc. Götting.* vol. i. Comm. hist. p. 1. Rettberg's *Kirchengesch. Deutschlands*, i. 73. The example of Trier was soon followed

the time were the disputes concerning the apostleship of *St. Martial*,¹⁴ and the monks' quarrels concerning the place where the real bodies of *St. Dionysius*¹⁵ and *St. Benedict*¹⁶ were preserved.

The virgin *Mary*¹⁷ was honored above all saints. *Saturday*

by its suffragan see. *Santinius*, first bishop of *Verdun*, was looked upon as a disciple of *St. Dionysius*, and was already elevated with him. In like manner *Metz* now raised its first bishop *Clemens*, and *Toul* its own *Mansuetus* to the rank of apostle-disciples (first in the legend composed by abbot *Adso* about 980, *Acta SS. Sept. i. p. 615, ss.*). Comp. *Histoire ecclésiastique et civile de Lorraine*, par. *Aug. Calmet. t. i. Dissertation prélim. p. xi. ss.* *Rettberg. i. 90.* By *Paul*, *Crescens* is said to have been sent to *Vienne* (*Ado in Chronic. Act. vi. ann. 59 et 101*) and *Mainz* (*Rupert. Tuitiensis* about 1120 *de Divinis officiis*, lib. i. c. 27) according to *2 Tim. iv. 10* (cf. *Eusebii H. E. iii. 4*); see *Rettberg. i. 82.* About the same time *Linus* is said to have come to *Besançon*, *Memmius* to *Chalons*, *Sixtus* to *Rheims*, *Sinicus* to *Soissons*, *Ursinus* to *Bourges*, *Fronto* to *Perigueux*, *Altinus* to *Orleans*, *Lucianus* to *Beauvais*, *Nicasius* to *Rouen*, *Exsuperius* to *Bayeux*, *Taurinus* to *Evreux*, *Eutropius* to *Saintes*, *Julianus* to *Mans*, etc.

¹⁴ After he had been put in the apostolic age with his companion *Dionysius*, and a correspondent life (*vita*) had been given him, his protegees, the monks of *St. Martial* in *Limoges*, wanted even to exalt him to the rank of apostle; but the clergy of *Limoges* would only allow him the title of Confessor. Controversy on the point at the *Syn. Pictav. ann. 1023* (*Mansi. xix. 413*), *Syn. Paris. ann. 1024* (*ibid. p. 421*). *Jordanus*, bishop of *Limoges*, *Epist. ad Benedictum P. VIII.* (*Gallia christiana*, t. ii. app. p. 162), declared against the new apostle; but *Johannes P. XIX.* (*Epist. ad Jordanum Episc. ap. Mansi. xix. 417*), and after him *Conc. Lemovicense*, *ann. 1028* (not 1029, see *Mabillon. Ann. Bened. lib. vi. no. 49*), decided in his favor; *Ademarus mon. Cabanensis* defended him (see *Epist. A.D. 1028* in *Mabillon. Ann. append. ad tom. iv. no. 46*), and the *Conc. Bituricense*, can. i. (*Mansi. xix. 503*) and *conc. Lemovicense*, both A.D. 1031, at length settle the matter. Comp. particularly the copious acts of the latter (*ibid. p. 507, ss.*), ex. gr. p. 512: *Plane si Apostolus nullus est exceptis duodecim, sicut Ebionitae haeretici praedicant,—ergo Paulus et Barnabas non sunt Apostoli, etc.* P. 525: *Nos non sumus Ebionitae, qui non recipiant praeter xii. Apostolos, et Paulem quasi transgressorum legis repudiant, etc.* Cf. *Acta SS. Jan. v. 535.* This, however, did not prevent the monastic discipline in *St. Martial* from utter extinction, nor the monks from offering violent opposition when the monastery was intended to be reformed (1063) externally by *Clugny*. See § 31, note 5. At a later period the monks of *St. Martial* forged two letters in the name of their new apostle, *ad Burdigalenses* and *ad Tolosanos* (ed. *Badius Ascensius. Paris. 1521*; also annexed to *Gennadius de Dogm. eccl. ed. G. Elmendorst. Hamburg. 1614*).

¹⁵ On this controversy between the monks of *St. Emmeram* in *Regensburg* and of *St. Dionysius* in *Paris*, see *Mabill. Ann. Ben. lib. lx. no. 21* (where also the decision of *Leo IX.* in favor of the *Regensburgians*, probably spurious, is printed) and no. 34.

¹⁶ The convent *Fleury* near *Orleans* claimed the honor of possessing them since the middle of the seventh century; on the other hand *Monte Cassino* claimed to have the grave and body. *Leon. Ostiens. Chronic. Casin. lib. ii. c. 43, 44, 47.* *Mabill. Ann.* in many passages.

¹⁷ Comp. especially *Fulberti Ep. Carnotensis. († 1029) Sermones* (*Opp. ed. Car. de Villiers. Paris. 1608. 8. Bibl. PP. Lugd. xvii. 1*) and *Petri Damiani Sermones* (*Opp. ii. 1*). In the latter's sermo, xlvi. or i. de Nativit. Mariae, p. 107, it is said among other things: *Etsi multa magna facta sunt in creaturis mundi, nihil tamen tam excellens, tam magnificum fecerunt opera digitorum Dei.—Numquid quia ita deificata, ideo nostrae humanitatis oblita es? Nequaquam, Domina.—Data est tibi omnis potestas in caelo et in terra.—Nil tibi impossibile, cui possibile est desperatos in spem beatitudinis relevare. Quomodo enim illa potestas tuae potentiae poterit obviare, quae de carne tua carnis suscepit originem?*

was devoted to her, and an *officium St. Mariae* instituted in her praise.¹⁸ The festival of *all souls*, which arose in Clugny

Accedit enim ante illud aureum humanae reconciliationis altare, non solum rogans, sed imperans, Domina, non ancilla. Sermo xi. de Annunciatione b. V. M. p. 25: Cūm fecerit Deus omnia opera sua valde bona, hoc (Mariam) melius fecit, consecrans sibi in ea reclinatorium aureum, in qua sola se post tumultus Angelorum et hominum reclinaret, et requiem inveniret.—Peccant rationabiles creaturae.—Tacet Deus omnipotens, et ordinans ejus omnipotentia tantam dissimulat confusionem. Tandem nascitur Maria, et ad nubiles annos egrediens speciem induit speciosam, quae ipsum allicit Deum, et divinitatis oculos in se convertat.—Videt et ardet ille vehemens amator, et totum epithalamium in laudibus ejus decantans (Song of Solomon), ubi manifeste sponsus inducitur spirans amorem sincerissimum, nec ultra valens dissimulare quod patitur. Evocatur statim caelestis ille conventus, et juxta Prophetam (Jes. xvi. 3) init Deus consilium, cogit concilium, facit sermonem cum angelis de restauratione eorum, de redēptione hominum, de elemēt renovatione, ac illis stupētibus et mirantibus prae gaudio, de modo redēptionis. Et statim de thesauro divinitatis Mariae nomen evolvitur, et per ipsam, et in ipsa, et de ipsa, et cum ipsa totum hoc faciendum decernitur, ut sicut sine illo nihil factum, ita si de illa nihil refectum sit. Traditur epistola Gabrieli, in qua salutatio Virginis, incarnatio Redēptoris, modus redēptionis, plenitudo gratiae, gloriae magnitudo, multitudo laetitiae continetur. Serm. xl. de Assumptione b. M. v. p. 97: Sublimis ista dies, in qua Virgo regalis ad thronum Dei Patris evehitur, et in ipsius Trinitatis sede reposita naturam etiam angelicam sollicitat ad videndum. Tota conglomeratur Angelorum frequentia, ut videat Reginam sedentem a dextris Domini virtutum in vestitu deaurato, etc.—Ascendentī Domino egressa est obviam omnis illa beatorum Spirituum gloriae societas.—Attolle jam oculos ad assumptionem Virginis, et salva Filii majestate, invenies occursum hujus pompaē non mediocriter digniorem. Soli quippe Angeli Redēptori occurrere potuerunt, Matri vero caelorum palatia penetranti Filius ipse cum tota curia tam Angelorum quam Justorum solemniter occurrēns exēxit ad beatæ consistorium sessionis, et ait: Tota pulchra et amica mea, et macula non est in te (Cant. iv. 7).

¹⁸ Both first began in convents. The officium proceeded from the hymns of praise in honor of Mary, of which the first trace is found in the vita Udalrici (bishop of Augsburg from 923–973), written by a contemporary, Gebhard, no. 14 (Mabillon. Acta SS. ord. Bened. saec. v. p. 426): *Cursus quotidianus cum matriculariis in choro ejusdem matriculae ab eo caute observabatur, quandocumque ei domi manendum aliae occupationes consenserunt. Insuper autem unum cursum in honore S. Mariæ genitricis Dei, et alterum de s. Crucis tertium de omnibus Sanctis, et alios psalmos plurimos, totumque psalterium omni die explere solitus erat* (cf. Mabillon. Ann. Bened. lib. xlii. no. 71). However, these demonstrations of honor received a definite form and greater diffusion in the eleventh century, and especially by means of Petrus Damiani. Comp. his Opusc. xxxiii. de bono suffia giorum, c. 3: *Quam fideliter aeterna sperabunt, qui beatæ Reginæ mundi quotidiana horarum omnium vota persolvunt!* Unde pulcher etiam mos in nonnullis Ecclesiis inolevit, ut specialiter ad ejus honorem per omne sabbatum Missarum celebrentur officia, nisi forte festivitas vel feria Quadragesimalis obsistat. Nos etiam Eremis sive Monasteriis, quorum videlicet ad Christi gloriam Ministri sumus, tres per hebdomadas singulas dies Sanctis assignatos habemus, ad quorum scilicet honorem Missas specialiter celebramus.—Quod secundum virorum illustrium pias opiniones atque sententias quaelibet animac defunctorum in diebus dominicis requiescent atque a suppliciis feriantur, secunda vero feria ad ea quibus assignata sunt poenarum ergastula revertuntur: idecirco ipso potissimum die Angelis missarum honor impeditur, ut et mortuis et morituris patrocinialis eorum defensio procuretur. Sexta quoque feria vivificiae Crucis non inconvenienter adscribitur, quae scilicet dies pendens in Cruce Domini glorioso sanguine purpuratur. Qua die omnes fratres nostri, quos utique monasterialis ordo connectit, hoc etiam ad cumulum propriae salutis adjiciunt, ut et se mactent in Capitulo vicaria collisione scoparum, et insuper celebrent in pane et aqua jejuniū. Ad honorem quoque sanctae Crucis eodem die Missas celebrant,

after 1024,¹⁹ soon became general throughout the whole church.

ut sibi patrocinium Crucis in die necessitatis acquirant. Cap. 4: 'Sabbatum enim vero, quod requies interpretatur, quo videlicet die Deus requievisse legitur, satis congrue beatissimae Virginis dedicatur. Quam nimur sibi Sapientia domum aedificare; it, atque in ea per humilitatis assumptae mysterium, velut in sacratissimo lectulo requievit. Petrus Damiani also spread very zealously the Officium S. Mariae, but not without opposition, in the Italian monasteries. See lib. vi. Ep. 32: Statutum erat (in monasterio b. Vincentii), atque jam per triennium fere servatum, ut cum horis canonicas b. Mariae semper Virginis officia dicerentur. However, a monk, Gozo, opposed it coepit conqueri, satis superque sufficere, quod sanctis praecepit Benedictus, nec novae adventionis pondus debere supervenire, nec nos esse antiquis Patribus sauctiores, qui videlicet haec superstitionis ac supervacua judicantes psallendi nobis metam omnemque vivendi regulam praefixerunt: hac sane debere nos esse contentos, ne ab illa incautius declinantes per anfractus et invia ducamur erronei. He actually succeeded in persuading the other monks, ut solitas b. Mariae laudes ulterius non offereant: but the convent met with great disasters, which did not cease till after they had solita Genitricis Dei praeconia unanimiter pollicentur. Petrus Damiani had himself composed an Officium S. Mariae, Opp. t. iv. p. 9, ss. According to Gaufridus Prior Vosiensis (1183) in Chron. in Labbe Biblioth. nova MSS. t. ii. p. 292, Urbanus II. established as early as the Council of Clermont (1095), ut horae beatae Mariae quotidie dicerentur, officiumque ejus diebus sabbati fieret. Mabillon. Annales, lib. lviii. no. 15, lib. lx. no. 81. Ejusd. Acta SS. ord. Bened. saec. v. praef. p. lxxvi.

¹⁹ The decretum by which the abbot Odilo prescribes this festival to all the monasteries of Clugny (ap. Mabillon. Act. SS. ord. Bened. saec. vii. i. 385), mentions the Emperor Henry II. († 1024) as deceased. On the solemnization of it see Antiquiores consuetudines Cluniac. (§ 31; note 3) lib. i. c. 42. It was not till Odilo's death that the legend was formed for the purpose of procuring its permanence and greater diffusion, which is first met with in the vita S. Odilonis by Jotsaldus, c. 14 (Mabillon. l. c. p. 615): Retulit mihi etiam dominus Richardus Episcopus (in Paunonia, who had previously been a disciple of Odilo) quandam visionem, quam et ego quandam audieram, sed tunc animo minime retinebam. Quodam tempore, inquit, vir quidam religiosus de pago Rotensi (of Rodez) oriundus ab Ierosolymis revertebatur. Transiens autem mare, quod a Sicilia versus Thessalonicanam protenditur, pertulit cum pluribus aliis gravissimum ventum in medio positus, qui navim impellens, appulit ad quandam insulam sive rupem, ubi quidam servus Dei reclusus manebat. This person related to the other: Vicina loca sunt nobis, ex semetipsis manifesto Dei iudicio gravissima eructantia ignis incendia, in quibus animas peccatorum ad tempus statutum diversa luunt supplicia. Sunt vero ad eorum semper renovanda tormenta multitudo daemonum deputata, qui eorum poenas de die in diem restaurantes, intolerabiles magis ac magis exaggerant dolores. Quos tamen saepius audiui lamentantes, et non parvam querimoniam facieutes, quia orationibus religiosorum hominum, et eleemosynis pauperum, quae fiunt per diversa loca sanctorum, multotiens per Dei misericordiam ab eorum poenis liberarentur animae damnatorum. Inter caetera vero mentionem et maximam querimoniam neveris illos praecepit fecisse de illa Cluniacensi congregacione et ipsius Abbat. Quapropter per Deum te admoneo, si ad tuos cum prosperitate habueris redditum, ut haec omnia quae a me audisti nota facias praedictae congregationi, et ex mea parte denuncies, quatenus magis ac magis insistant orationibus, vigilis et eleemosynis pro requie animarum in poenis positarum. The pilgrim, after his return, executed this commission. Hac igitur occasione sanctus Pater generale propositum per omnia monasteria sua constituit, ut sicut in capite kalendarum Novembrium festivitas agitur omnium Sanctorum, ita etiam in sequenti die memoria generaliter ageretur pro requie omnium fidelium animarum, privatum et publice Missae cum psalmis et eleemosyna celebrarentur. omnibus supervenientibus pauperibus eleemosyna multipliciter daretur; quatenus per haec jacturam sibi provenire magis ac magis doleret adversarius, et e contrario gratularetur sub spe misericordiae in hoc laborans Christianus. Nearly the same thing, but not without

SIXTH CHAPTER.

HISTORY OF ECCLESIASTICAL DISCIPLINE.

Contemporary chronicles: Reginonis, abbot of Prün, *de Disciplinis ecclesiasticis et Religione christi*, lib. ii. written 906–908 (according to the latest editors of the *Gesta Trevir.* Wyttensbach and Müller, 899, see tom. i. *Adnotat.* p. 27, at p. 99, ed. Jo. Hildebrand. Helmst. 1659; auctius St. Baluzius. Paris. 1671. 8; ad opt. codd. fidem rec. F. G. A. Wasserschleben. Lips. 1840. 8. Cf. Ballerini *de Antiquis collect. canonum*, P. iv. c. 11, Wasserschleben's *Beiträge zur Gesch. d. vorgratian Kirchenrechtsquellen*. Leipzig. 1839, S. 1. Bähr's *Gesch. d. röm. Lit. im karol. Zeitalter*, S. 535). Abbonis, abbot in Fleury († 1004) *Canones excerpti de aliis canonibus*, written before 997 (in Mabillonii *Analect.* ed. ii. p. 133, ss.). Burchardi, bishop of Worms († 1025), *Conlectarium canonum or decretorum volumen*, written 1012–1023 (ed. Colon. 1548. fol.; Paris. 1549. 8. Cf. Ballerini, l. c. P. iv. c. 12). Comp. Spittler's works published by K. Wachter, Stuttgart, 1827, i. 270. (Fragment from a second part of the History of Canonical Law.)

§ 34.

DISCIPLINE OF THE CLERGY.

Die Einführung der erzwungenen Ehelosigkeit bei den christl. Geistlichen und ihre Folgen, von D. F. A. Theiner (2 Bde. Altenburg, 1828) i. 444.

The impurity of the clergy caused by their celibacy, long a constant subject of legislation at the synods, increased during these times of rudeness to unnatural crimes.¹ The bishops, who were always becoming more worldly, led the way in evil example, and the inferior clergy followed with the less restraint as they had become so much more independent by the firm establishment of their benefices. While their office appeared to be privileged to commit the most scandalous excesses,² many began to live in

variations, is likewise related after the death of Odilo by a person belonging to Clugny, Burchardus, Dominis Patribus et senioribus Cluniacensis coenobii, told as something, quod veridicis testibus nuper audivimus (see Mabillon, l. c. p. 584). From this expression as well as from the introduction of Jotsaldus, it is clear that the story was unknown at Clugny in Odilo's lifetime. The same is given in extract by Sigebert. Gemblac. ad ann. 998, who, however, transfers the scene to Sicily, to the places, quae vocantur ab incolis, Ollae Vulcani.

¹ Conc. Moguntiac. ann. 888, can. 10 (Mansi, xviii. 67): Ut clericis interdicatur, mulieres in domo sua habere, omnimodis decernimus. Quamvis enim sacri canones quasdam personas feminarum simul cum clericis in una domo habitare permittant: tamen, quod multum dolendum est, saepe audivimus, per illam concessionem plurima scelere esse commissa, ita ut quidam sacerdotum cum propriis sororibus concubentes, filios ex eis generassent. So too conc. Metense, ann. 888, can. 5. Riculfi Ep. Suessionum constit. ann. 889, c. 14. Conc. Namnetense, ann. inc. c. 3 (Mansi, xviii. 167).

² Among the numerous synodal regulations, comp. conc. Aenhamense, ann. 1009, c. 1.

the ordinary state of marriage.³ The violent measures of *Dun-*

(Wilkins Conc. Magn. Brit. i. 286. Mansi, xix. 299) : Omnes Dei ministros, et imprimis sacerdotes rogamus et docemus, ut Deo obedient et castitatem diligent, et caveant sibi ipsis ab ira Dei. Certissime norint, quod non debeant habere ob aliquam coitus causam uxoris consortium; ast pejus est, quod aliqui habeant duas vel plures: et quidam, licet dimiserit eam, quam nuper habuit, ipsa vivente tamen aliam ducit, etc. Benedictus P. VIII. in conc. Ticinensi (between 1014 and 1024), ap. Mansi, xix. 345: Sacerdotes Dei, ut equi emissarii, in feminas insaniunt:—toto vitae suae tempore summum bonum, ut Epicurus philosophorum poreus, voluptatem adjudicant. Neque id caute faciunt incauti: cum publice et pompatice lascivientes, obstinatus etiam quam excursores laici meritricari non erubescant (comp. below, note 5). A fearful description of priestly lewdness is given by Petrus Damiani Opusc. vii. liber Gomorrhianus. Praef.: Vitium contra naturam velut cancer ita serpit, ut sacrorum hominum Ordinem attingat. Cap. 1: Alii siquidem secum, alii aliorum manibus, alii inter femora, alii denique consummato actu contra naturam delinquunt. Cap. 2: Quidam rectores Ecclesiarum circa hoc vitium humaniores forsitan quam expediatis, absolute decernunt, propter tres illos gradus, qui superius enumerati sunt, neminem a suo Ordine debere deponi; hos autem solummodo non abnuunt degradari, quos ultimo actu cecidisse constiterit. Cap. 6: Sed o scelus inauditus!—quod dignum illis poterit ex cogitari supplicium, qui cum suis spiritualibus filiis haec mala—commitunt?—Quis jam sub ejus imperio maneat,—qui de poenitente facit pellicem, et quem spiritualiter Deo generat filium,—per suae carnis immunditiam subjungat servum? Comp. Leo IX.'s letter to Petrus Damiani, relating to this subject, prefixed to the latter's work. Ecce omnes illi, qui quavis quatuor generum, quae dicta sunt, foeditate polluantur,—ab omnibus immaculatae Ecclesiae gradibus tam sacrorum, canonum, quam nostro iudicio depelluntur. Sed nos humanius agentes, eos, qui vel propriis manibus, vel invicem inter se egerunt semen, vel etiam qui inter femora profunderunt, et non longo usu, nec cum pluribus, si voluntatem refraenaverint, et digna poenitidue probrosa commissa fuerint, admitti ad eosdem gradus, in quibus—fuerant,—volumus atque etiam jubemus. (Cf. Caron. ad. ann. 1049, no. 10).

³ Cf. § 23, note 2: Bonizo ap. Oeusele, ii. p. 799. Guidonis Disciplina Farfensis (about 1040) in Vetus disciplina monastica (ed. M. Herrgott). Paris. 1726, p. 37: Cum per universam Italiam Christi praecepta amnullarentur, et velut in fastidio versarentur: diabolicae suggestiones cooperant augmentari, et opere compleri, ita ut etiam in sacris constituti ordinibus, sicut mos laicorum est, uxores acciperent, et sine aliqua difficultate baeresim exercerent simoniacam. Leonis VII. († 939) Ep. ad Gallos et Germanos (Mansi, xviii. 379): (Gerardus S. Lauriacensis Ecclesiae Archiepiscopus) intulit lamentabile et nimis lugendum, ut Domini sacerdotes publice ducant uxores. Aventinus, who also, Annal. Bojorum lib. iv. c. 23, p. 461, ed. Gundlingii mentions this epistle, remarks, lib. v. c. 13, p. 541, of the times before Gregory VII.: Sacerdotes illa temestate publice uxores, sicuti caeteri Christiani, habebant, filios procreabant, sicuti in instrumentis donationum quae illi templis, mystis, monachis fecere, ubi hae nominatim cum conjugibus testes citantur, et honesto vocabulo Presbyterissae nuncupantur, inuenio. Thus Presbyter quidam Gunduni nomine cum Presbyterissa sua Hiltigunde makes a present to the Abbey of Ebersberg (Oeusele Scriptt. rerum Boicarum, ii. 28, no. 82); So too quidam sacerdos nomine Perhecozus ac ejus Presbyterissa Liutpure (l. c. p. 29, no. 100). In the year 1055, Richolfus Presbyter makes a gift to the convent Benedictbeuern, and among the witnesses we find first mentioned Froibirgis, uxor praelabiti Presbyteri (Monum. Boica. vii. 40). In the case of another presentation appears Gisila, quam Atto Presbyter duxerat uxorem (l. c. p. 42). Wilhelm, Episc. Ausonensis, gives in fief with the approbation of his chapte 1052, to Ermengaudo canonico nostrae sedis, uxoriique tuae et filii tuis a Castrum (Petr. de Marca Hispanica, app. p. 1097, no. 236). Petri Damiani lib. iv. Ep. 3, ad Cunibertum Ep. Taurensem (or Opusc. xviii. contra Clericos intemperantes, diss. ii.): Inter nonnullos virtutum flores, venerabilis Pater, quibus tuae sanctitatis vernat ingenium, unum mihi, fateor, valde iispluit. Permittis enim, ut Ecclesiae tuae clerici, cuiuscunq; sint ordinis, velut jure matrimonii confoederentur uxoribus. Praesertim cum et ipsi clerici tui, alias quidem satis honesti, et literarum studiis sint decenter instructi. Qui dum ad me confuerent, tamquam

stan, from 961 archbishop of Canterbury († 988) in England, had only a temporary effect;⁴ still no yielding on the part of the hierarchy could be expected here, because the church estates were threatened by those disorders.⁵

chorus angelicus, et velut conspicuus Ecclesiae videbatur enitere senatus. Only a Petrus Damiani, although he fully perceived the abominations of celibacy in his liber Gomorrhianus could fail to see that this excellency of the Turin clergy coincided exactly with that permission of marriage, and could require the renunciation of it in the following time. Worthy of remark is cap. 3 : Aliquando cum me Laudensis Ecclesia tauri pingues armata conspiratione valarent,—tamquam ructum fellis in os meum evomere, dicentes : Habemus auctoritatem Triburiensis, si tamen ego nomen teneo, Concilii, quae promotis ad ecclesiasticum ordinem ineundi conjugii tribuat facultatem. Quibus ego respondi : Concilium, inquam, vestrum, quodcumque vultis, nomen obtineat : sed a me non recipitur, si decretis Romanorum Pontificum non concordat. Even bishops were married (Æsopeja, spouse of bishop Paschalis of Chur, is called in the documents episcopa and Antistita Curiensis, Meier v. Knona's schweizer. Gesch. i. 29). At the time of Gregory VII., the bishop of Toul particularly (Gregor. VII. lib. ii. Ep. 10 : Quoniam—cum muliere quadam in publica fornicatione jaceret, de qua filium genuisset, quamque rumor esset sacramento et desponsatione laicorum more sibi copulasse), and Burkard, bishop of Lausanne (uxorem legitimam habuit ; Chartul. Lausann. in Müller's Schweizergesch. i. 318.)

⁴ Eadmerus (about 1122) de vita S. Oswaldi Archiep. Eboracensis, in H. Wharton Anglia sacra, ii. 200 : Per id temporis ex sanctione et auctoritate Johannis apostolicae sedis Antistitis b. Dunstanus Archiepiscopus Cantuariae et Primas totius Britanniae—coacto generali Concilio (ann. 969) statuit, et statuendo decretum confirmavit, videlicet ut Canonici omnes, Presbyteri omnes, Diaconi et Subdiaconi omnes aut caste viverent, aut Ecclesias quas tenebant una cum rebus ad eas pertinentibus perderent. Habebat autem Regem Edgarum in hoc negotio fidelem fautorum, constantem adjutorem, firmum defensorem. Qui rex ipsius patris consilio uteus, curam exequendi decreti hujus super totum regnum duobus viris injunxit, Oswaldo scilicet Episcopo Wigornensi et Athelwoldo Wintoniensi. Quod illi zelo domus Dei succesi, et divinitatis amore subnixi, et insuper praedicta auctoritate muniti, strenuissime sunt executi. Nam ut de aliis taceam, b. Oswaldus septem monasteria in sua dioecesi regulari disciplina, ejectis clericis feminarum consortium Ecclesiis antepontentibus, instituit.—Post haec in aliis Angliae partibus ad parochiam suam nil pertinentibus insignes Ecclesias ob praefixam causam clericis evacuavit, et eas—viris monasticae institutionis sublimavit. Comp. the vita S. Dunstani by Eadmer, ibid. p. 219, the other by Osbererus (about 1070), ibid. 112, and in Mabillon. Acta SS. ord. B. saec. v. p. 681; and the vita S. Ethelwoldi Ep. Wintoniensis, written probably by his pupil Wolstanus. ap. Mabillon. l. c. p. 614. A document of King Edgar, by which the transference of a foundation in Worcester to the monks, eliminatis clericorum naeniis et spurciis lasciviis, is confirmed, ita ut jam amplius non sit fas neque jus clericis reclamandi quicquam inde, quippe qui magis elegerunt cum sui ordinis periculo et ecclesiastici beneficii dispendio suis uxoribus adhaerere, quam Deo caste et canonice servire, see in Usserii Vet. epistt hibernic. sylloge, p. 121, and in Jo. M. Kemble Codex diplom. aevi Saxonici, tom. ii. (Lond. 1840. 8), p. 404. Comp. Kemble, ii. 402, 421, 429. After Edgar's death the state of things was changed († 975). Matthaeus Westmonasteriensis (about 1307) : Sicque post dececessum Regis pacifici regni status perturbatus est, et in execrationem commutatus. Nam Principes plurimi et Optimates Abbates cum monachis de monasteriis, in quibus Rex Eadgerus eos locaverat, expulerunt, et clericos, ut prius, loco eorum cum uxoribus induxerunt. The struggle between monks and secular clergy increased to be a contention of political factions: however, the old state of things again reappeared gradually (see conc. Aenham. above, note 2). Städtlin's Kirchengesch. von Grossbrit. i. 92. Theiner, i. 533. Lappenberg's Gesch. von England, i. 400. Gfrörer, iii. iii. 1609.

⁵ In an epist. canonica, quam debent adimplere Presbyteri, Diaconi seu Subdiaconi, of the tenth century (in Maji Script. vett. nova coll. vi. ii. 102) it is said: Ad nos perlatum

Thus, then, under the last popes of this period, in addition to the other evil of the time, viz., *Simony*,⁶ the incontinence and marrying of the clergy were stamped as the *Nicolaitan heresy*,⁷ and zealously opposed.⁸ On the other hand, the first defenders

est eo quod quidam conjugati habentes titulos in quibus deserviant, de sacris vestibus, mulierum vel filiarum suarum ornamenta faciant, et proprietario jure sibi defendant Benedictus P. VIII. in conc. Ticinensi (between 1014 and 1024), ap. Mansi, xix. 343: Omnes Ecclesiam pertranseuntes diripiunt, et hi maxime, qui videntur esse rectores, modis omnibus quibus possunt, concilant et paupertant. Praedia enim et possessiones aut tollunt, aut minuant, aut quibusdam titulis et scriptis colludio fabricatis, a nomine et a jure Ecclesiae alienant; servos libertant, licet non possint; filii congerones in frontati omnia congerant. Ipsi quoque clerci, qui sunt de familia Ecclesiae,—ex liberis mulieribus filios procreant; ancillas Ecclesiae hac sola fraude fugientes, ut matrem liberam filii quasi liberi prosequantur. Ampla itaque praedia, ampla patrimonia, et quaecunque bona possunt, de bonis Ecclesiae, neque enim aliunde habent, infames patres infamibus filii adquirunt. Sic Ecclesiae utrumque et servos perdit et conquisita. Sic Ecclesiae olim ditissima—pauperrima nostris est effecta temporibus,—hac fraude omnes filii servorum Ecclesiae ad clericatum aspirant, non ut Deo serviant, sed ut scortati cum liberis mulieribus, filii eorum de famulatu Ecclesiae cum omnibus bonis Ecclesiae raptis quasi liberi excant. Hence the synod enacted, can. 3: Filii et filiae omnium clericorum, omniumque graduum de familia Ecclesiae, ex quacunque libera muliere, quocunque modo sibi conjuncta fuerit, geniti, cum omnibus bonis—servi proprii suae erunt Ecclesiae, nec unquam ab Ecclesiae servitute exhibunt, which was confirmed by the emperor Henry I. Comp. the remarkable enarratio eorum, quae perverse gesta sunt a custodibus Ecclesiarum S. Stephani et S. Donati in civitate Aretina, et quomodo Canonici tandem eas Ecclesias acquisierunt, written about 1092, in Muratorii Antiquitt. Ital. v. 217.

⁶ Comp. § 23, note 2; § 24, notes 12, 14. Cf. Girberti Phil. Sermo de informatione Episcoporum, § 8. (Mabillon. Analect. vet. p. 105, and ap. Galland. xiv. 135). Abbonis Abb. Floriacen. Apologeticus, § 9 (about 1000), ap. Gallaud. xiv. 139: Nihil paene ad Ecclesiam—pertinere videtur, quod ad pretium non largiatur, scilicet episcopatis, presbyteratus, diaconatus, et reliqui minores gradus, archidiaconatus quoque, decanaria, praepositura, thesauri custodia, baptisterium, sepultura, et si qua sunt similia. Et hujusmodi negotiatorum subdola responsione solent astruere, non se emere benedictionem, qua percipitur gratia Spiritus S., sed res Ecclesiarum, vel possessiones Episcopi, etc. Petrus Damiani in vita S. Romualdi, c. 35. (Opp. ed. Cajetani, ii. 221): Inter caeteros autem praecepsa saeculares clericos, qui per pecuniam ordinati fuerant, durissima severitate corripiebat. Qui novam rem audientes, occidere illum moliti sunt. Per totam namque illam Monarchiam (i. e., Camerinam provinciam) usque ad Romualdi tempora vulgata consuetudine vix quisquam noverat, simoniacam haeresim esse peccatum. Est enim venenata illa haeresis, praescerit in episcopali ordine, tam dura, et ad convertendum rigida, ut semper promittens, semper de die in diem producens, atque in futurum procrastinans, facilius possit Judaeus ad fidem converti, quam haereticus latro plene ad poenitentiam provocari. The expression simoniaca haeresis first in Gregory the Great.

⁷ First in Humberti Responsio adv. Nicetam Pectoratum (ann. 1054) ap. Baronius xi. 1010: Arbitramur ab inferis emersisse principem hujus haeresis nefandum Diaconum Nicolaum, de quo Epiphanius vester sic scripsit (should rather be Augustini Haer. 5, but is corrupted): “Quarta Nicolitarum a Nicolao haeresis est adinventa—. Iste—docere coepit, indifferentur debere uti conjugibus non solum laicos, sed etiam qui sacerdotis fungentur officio.” Petrus Damiani Opusc. xviii. contra clericos intemperantes. Diss. ii. c. 13: Qui dum corruunt, impudici; dum defendere nituntur, merito judicantur haereticici. Unde et clerici uxorati Nicolaitae vocantur, quoniam a quodam Nicolao, qui hanc dogmatizavit haeresim, hujusmodi vocabulum sortiuntur.

⁸ This, too, was begun by Leo IX.: Conc. Rom. ann. 1059 refers to his constitutum de castitate clericorum, as to the law that established a new order. At this council it was

of priestly marriage⁹ reappear at the time, especially in Milan, where it had become quite customary.¹⁰

decreed by Nicolaus II. (Mansi, xix. 907) : Ut nullus Missam audiat Presbyteri, quem scit concubinam indubitanter habere aut subintroductam mulierem. Still in this matter they were not yet so zealous as in regard to Simony. Petr. Dam. Epist. ad Nicol. P. II. ap. Baron. ann. 1059 no. 39: Nostris quidem temporibus gemina quodammodo Romanae Ecclesiae consuetudo servatur, ut de caeteris quidem ecclesiasticae disciplinae studiis examen (prout dignam est) moveat; de clericorum vero libidine propter insultationem saecularium dispensative conticescat. Si malum hoc esset occultum, fuerat fortassis utcumque ferendum. Sed (oh seclus) omni pudore postposito pestis haec in tantam prorumpit audaciam, ut per ora populi volent loca scortantium, nomina concubinarium, etc.

⁹ To this time belongs the Epist. Udalrici Ep. Augustani ad Nicolaum P. pro conjugio clericorum (prim. ed. Matth. Flacius. Magdeb. 1550. 8; and in the Catal. test. verit. no. 77. G. Calixtus de Conjug. cleric. ed. Henke, p. 547. Martene Collect. ampliis, i. 449, &c.) first mentioned about 1090 by Bernoldus in Chron. ad ann. 1079 (ap. Pertz, vii. 436): In hac synodo Papa—scriptum quod dicitur S. Udalrici ad Papam Nicolaum de nuptiis Presbyterorum, et capitulum Paphnutii de eadem re, immo omnia sacris canonibus adversa damnavit. Afterward adopted into Udalrici Babenberg. Codex epistolaris (collected about 1125, in Eccardi Corp. historicum medii aevi, ii. 23). The first Ulrich whom we find in the see of Augsburg is Ulrich, count of Dillingen, from 923–973. In the name of this long deceased bishop, who was in great repute as a saint in all Germany, this letter was addressed, probably to Nicolaus II. Probably Ulrich was reckoned in the tradition as a defender of sacerdotal marriage. He speaks here as representative of the Augsburg Church. Many other opinions about this epistle may be seen in Theiner, Bd. I, S. 467, ff. In the letter it is said: Cum tua, o Pater et Domine, decreta super clericorum continentia nuper mihi transmissa a discretione invenirem aliena, timor quidem turbavit me cum tristitia,—non parum quippe a discretione deviasti, dum clericos, quos ad continentian consilii monere debebas, ad hanc imperiosa quadam violentia cogi volebas.—Dominus quidem in veteri lege sacerdoti conjugium constituit, quod ille postmodum interdixisse non legitur. Sed in Evangelio loquitur: "Sunt eunuchi," etc.—sed "non omnes hoc verbum capiunt: qui potest capere, capiat" (Matth. xix. 11, 12). Quapropter Apostolus ait: "De virginibus praecepimus Domini non habeo, consilium autem do" (1 Cor. vii. 25). Quod, etiam juxta praedictum Domini, consilium non omnes capere posse considerans, sed multos ejusdem consilii assentatores hominibus, non Deo, pro falsa specie continentiae placere volentes, graviora praevidentes committere, fratrum scilicet uxores subagitate, masculorum ac pecudum amplexus non abhorrente, ne morbi hujus aspersione adusque pestilentiam convalescente nimium status labefactetur Ecclesiae totius: "Propter fornicationem," dixit, "unusquisque suam uxorem habeat" (1 Cor. vii. 2). Quod specialiter ad laicos pertinere, iidem mentiuntur hypocrita; qui, licet in quovis sanctissimo ordine constituti, alienis revera uxoribus non dubitant abuti. Illud apostolicum "unusquisque suam habeat uxorem" nullum excipit vere, nisi professorem continentiae, vel cum, qui de continuandi in Domino virginitate praefixit. Then follow proofs from 1 Tim. iii. 2. Isidor. de Eccles. off. ii. c. 1, can. apost. 5 (Vol. I. Div. II. § 97, note 9), Tripartita hist. eccl. lib. ii. (Paphnutius, see Vol. I. Div. II. § 97, note 4). Sunt vero aliqui qui S. Gregorium suaee sectae sunt adiutorium: quorem quidem temeritatem video, ignorantiam doleo. Ignorant enim, quod periculosum hujus haeresis decretum a S. Gregorio factum condigno poenitentiae fructu postmodum ab eodem sit purgatum. Quippe cum die quadam in vivarium suum propter pisces misisset, et allata inde plus quam millia infantum capita videret; intima mox ductus poenitentia ingemuit—suoque decreto prorsus damnato apostolicum illud laudavit consilium; melius est nubere quam uri (1 Cor. ix. 7), addens ex sua parte: melius est nubere, quam mortis occasionem praebere. (A similar thing is related, ap. Laudulphus Sen. Mediol. Histor. lib. iii. c. 25, in Murat. Scriptt. rer. Ital. iv. 112, by Andreas, a priest defending the marriage of priests, A.D. 1065: Terrere te debent bella civilia homicidia, sacramenta ac perjuria inenarrabilia: parvolorum multitudinem multorum ne-

§ 35.

SYSTEM OF PENANCE.

The ecclesiastical punishment of public sinners was now regulated by the complete development of the *synodal judicatum*

cem sine baptimate incurrentium, quorum membra aequalia, et quanta hoc in anno in cisterna theatrali cum mundata a lutariis inventa sunt, paucis tamen condolentibus, ante tuos oculos habens. Such occurrences might easily have given rise to similar traditions respecting earlier times.) Quid vero per homines fieri potest stolidius, quid divinae maledictioni obligati, quam cum aliqui, vel Episcopi videlicet, vel Archidiaconi, ita praecepitites sint in libidinem, ut neque adulteria, neque incestus, neque masculorum (proh pudor!) turpissimos amplexus sciant abhorrenc, quod casta clericorum conjugia sibi dicant foetere: et ab eis non verae justitiae compassionem clericos, ut conservos, rogent vel moneant continere, sed, ut servos, jubeant ac cogant abstinere? Ad cujus imperii—tam fatuam tamque turpem addunt suggestionem, ut dicant: honestius est pluribus occulte implicari, quam aperte in hominum vultu et conscientia cum una ligari. On the passage, “vae vobis Pharisaeis,” etc. (Matth. xxiii. 5). Hi sunt homines, qui prius deberent nobis persuadere, ut in conspectu ejus, cui omnia nuda et aperta sunt, erubescamus poccatores esse, quam in conspectu hominum studeamus mundi esse. Finally, 1 Tim. iv. 2, is explained of those false teachers, and a hope expressed that the pope would root out Pharisaeum doctrinam ab ovili Dei.

¹⁰ A Milan chron. MS. flos florum relates even of archbishop Heribert (from 1019–1045): Hic Archiepisc. habuit Uixeriam, nobilem mulierem, uxorem: quae donavit dotem suam monasterio S. Dionysii, quae usque hodie Uxeria dicitur (cited in Murat. Scriptt. rer. Ital. iv. 122). At the same time the Milanese clergy as well as the married Turin clergy (see Petr. Dam. lib. iv. Ep. 3, above, note 3), stood in high repute. A proverb was: Mediolanum in clericis, Papia in deliciis, Roma in aedificiis, Ravenna in Ecclesiis (Landulphi Hist. Mediol. iii. c. 1). Even Anselm, bishop of Lucca (afterward Pope Alexander II.), the author of the persecution of married priests, confessed (ibid. c. iv.): Certe nisi feminas haberent omnes hujus urbis sacerdotes et Levitae, in Praedicatione et in aliis bonis moribus satis congrue valerent: and the Papal legate Petrus Damiani testest est ad verum, nusquam se talem vidisse clerum (Arnulphi Hist. Med. iii. c. 12). Arnulphus admits besides: ut caveatur mendacium, non ex toto fuerunt omnes ab objectis immunes: but the prejudicial descriptions of the Milanese clergy in Arialdus's partial biographers Andreas and Landulphus de S. Paulo in Puricelli's work about to be quoted below, can not be overborne by the above testimonies. Concerning that persecution, comp. § 25, note 13. Archbishop Guido first put off the authors of the trouble Landulphus and Arialdus (Lav dulph. iii. c. 6): Vos dicitis, quia sacerdotes impossibile est adulterare et sacrificare, et verum dicitis; sed nostri sacerdotes, Deo gratias, nec sunt nec nominati sunt adulteri; sed curiose observant apostolicum praeceptum, ut sint unius mulieris viri. Cf. id. iii. c. 25: Dixisti: Sacerdos, qui duxerit uxorem, deponatur. Bene dicas, et ego dico, si post acceptum sacerdotium duxerit uxorem, sui ordinis periculo subjaceat: sin autem in sacerdotio unius uxoris virum inveneris, quid separas, quod non licet? (Comp. Vol. I. Divis. I. § 73, note 15). For the followers of Rome's example, the appellation, Patarini, was formed (Arnulph. iii. c. 11, iv. c. 11. Muratori, on the last passage, and Antiqu. Ital. med. aevi, v. 83. Mosheim Institutt. p. 406, note m). Disputation between the two parties (ap. Landulph. iii. c. 21–25): Cum diu per Apostoli Pauli et canonum (efflata) alterarentur, Arialdus et Landulphus proclamare cooperunt dicentes: vetera transierunt, et facta sunt omnia nova, Quod olim in primitiva Ecclesia a Patribus sanctis concessum est, modo

ture (*Synodus Placitum Episcopi*);¹ though such pernicious

indubitanter prohibetur. Tantum b. magister et doctor Ambrosius, cuius ordinem teneamus, vos damnet aut affirmet (c. 21). The married priests then defended themselves actually with expressions of Ambrose. They had even at that time the following story (Landulph. i. c. 11): Vivente b. Ambrosio gravissima dissensio inter sacerdotes monogamos et alios sub virginitate aut castitate degentes in Synodo coram Apostolico orta est.—Apostolico imperante, et multis catholicis Episcopis exhortantibus in judicio b. patroni nostri Ambrosii a partibus ambabus datum est, affirmantes, quidquid ipse dicere, tenere, et firmum atque sanctum haberent. At b. Ambrosius videns atque cognoscens sensus humanos, et sancta consilia et omnes pronos ad peccandum, maxime propter incontinemtiam, sciens aliquem neque virginitatem, neque castitatem, nisi a Deo, posse habere, os suum aperiens, quod in libro jam dictaverat de officiis, ait: "De monogamia sacerdotum quid loquar? quin una tantum permittitur copula, et non repetita, et haec lex est non iterare conjugium," etc. Itaque Gracci sacerdotes Ambrosianum tenentes sententiam, usque hodie, etc. (The passage is de Officiis, i. c. 50, but refers to marriage before consecration as a priest). However, even the miracles which took place in favor of the married priests (Landulph. iii. c. 27), were ineffectual. The older Milanese historians have frequently repeated this tradition about Ambrose ex. gr. Galvaneus Flamma (about 1340) in the Manipulus florum, c. 40. (Murat. Script. rer. Ital. xi. 570): Clericis oninibus benedicens b. Ambrosius una uxore posse uti concessit, qua defuncta et ipsi vidui in aeternum permanenter. Quac consuetudo duravit annis 700 usque ad tempora Alexandri Papae. Also Petrus Azarius (about 1360) and Bernardinus Corius (about 1500), whom therefore the congreg. Indicis, 1621, commanded to be expurgated. To prevent mischief from these passages, Muratori has accompanied them with (Script. rer. Ital. iv. 121) J. P. Puricelli Diss. utrum S. Ambrosius clero suo Mediolanensi permiserit, ut virginis nubere semel posset (from his Dissert. de Martyr. Arialdo, Alciato et Herlembaldo. Mediol. 1657. fol.).

¹ Placitum Episcopi, opposed to the placitum Comitis by the conc. Triburiense, ann. 895, cap. 9.—Regino de Discipl. eccles. lib. i. gives an account of the rule after which the bishop, in his ecclesiastical visitations, had to look in reference to the clergy, then be extracts, lib. ii., from the moral rule there to be applied respecting the laity, the following ex concilio Rotomagensi, which afterward Burchardus, lib. i. cap. 90-92, and in part Gratianus caus. xxxv. qu. 6, c. 7, repeat, but ascribe to pope Eutychianus. Lib. ii. c. 1: Cum Episcopus suam dioecesim circuit, Archidiaconos vel Archipresbyterum praeire debet uno aut duobus diebus per parochias, quas visitaturus est, et plebe convocata adnunciare debet proprii pastoris adventum, et ut omnes ad ejus synodum die denominata imprætermisso occurrant, omnimodis ex auctoritate ss. canonum praecipere, et minaciter denunciare, quod, si quis absque gravi necessitate defuerit, procul dubio a communione christiana sit repellendus. Deinde ad scitis secum Presbyteris, qui illo in loco servitium debent exhibere Episcopo, quicquid de minoribus et levioribus causis corrigere potest, emendare satagat, ut Pontifex veniens nequaquam in facilitioribus negotiis fatigetur, aut ibi immorari amplius necesse sit, quam expensa sufficiat. Cap. 2, de juratoribus synodi (or testibus synodalibus): Episcopus in synodo residens, post congruam allocutionem septem ex plebe ipsius parochiae, vel eo amplius aut minus, prout viderit expedire, maturiores, honestiores, atque veraciores viros in medio debet evocare, et allatis sanctorum pignoribus unumquemque illorum tali sacramento constringat. Cap. 3: Amodo inantea quidquid nosti, aut audisti, aut postmodum inquisitorus es, quod contra Dei voluntatem, et rectam christianitatem in ista parochia factum est, aut in futurum erit, si in diebus tuis evenerit, tantum ut ad tuam cognitionem quoconque modo perveniat, si scis, aut tibi indicatum fuerit, synodalem causam esse et ad ministerium Episcopi pertinere, quod tu nec propter amorem, nec propter timorem, nec propter praemium, nec propter parentelam ullatenus celare debeas Episcopo, aut ejus Misso, cui hoc inquirere jusserit, quandoconque te ex hoc interrogaverit. Sic te Deus adjuvet, et istae Sanctorum reliquiae. Then follows a long series of questions: Est in hac parochia homicida? etc. Comp. the description in the vita Udalrici Ep. August. (from 923-973) in Mabillon. Act. SS. ord. Ben. saec. v. p. 431. Worldly power gave external force too to the procedure of the bishop.

most abuses in the system of penance as had been rejected by the French synods in the first half of the ninth century (§ 19) pervaded general ecclesiastical practice in the second half of it.² The *libri poenitentiales*³ gave directions for substituting something more convenient for canonical punishments;⁴ and these

See Caroli Calvi cap. de statu Ecclesiae et de rebus eccl. reformatis, ann. 853 c. 10 : Ut Comites vel reipublicae ministri—sint in ministeriis illorum, quando Episcopus suam parochiam circumierit, cum Episcopos eis notum fecerit, et quos per excommunicationem Episcopus adducere non potuerit, ipsi regia auctoritate et potestate ad poenitentiam vel rationem atque satisfactionem adducant. Epistola Episcopp. syn. Carisiac. ad Ludov. Reg. Germ. ann. 858 (Caroli Calvi Capitull. tit. xxvii.) c. 7 : Ut Episcopi quietam libertatem suas parochias circumeundi, et praedicandi, ac confirmandi, atque corrigendi habeant, ordinate. Ut Missus reipublicae, i. e., minister Comitis, cum ipsis, si jusserint, cat qui liberos homines incestuosos, si per admonitionem Presbyterorum venire ad Episcopum noluerint, eos ad Episcopi placitum venire faciat commendate. Comp. Boehmer Jus eccles. Protestantium, iii. 581. C. Ph. Kopp's Nachr. v. d. Verfassung der Geistl. u. Civil-Gerichte in den Hessen-Casselischen Landen. (Cassel. 1769. 4) i. 118. F. A. Biener's Beiträge zu d. Gesch. d. Inquisitionsproceses. Leipz. 1827. S. 32, ff. These synodal judicatures were certainly at that time an important support of the public order, since the civil courts had only to do with accusatorial not inquisitorial processes respecting crime. A similar institute in civil judicature, originating since Charlemagne, did not continue long, though perhaps it served as the model of the spiritual synod. See Biener, S. 130, ff.

² Regino de Discipl. eccl. first spread more generally in the church such regulations taken from the Liber poenitentialis Romanus (cf. § 19, note 4); then Burchardus in his Decretorum volumen.

³ According to Regino de Discipl. eccl. in the Inquisitio, prefixed to lib. 1, the bishop was to ask the parish in his ecclesiastical visitations : Si habeat poenitentiale Romanum, vel a Theodoro Episcopo, aut a venerabili Presbytero Beda editum; ut secundum quod ibi scriptum est, aut interroget confitentem, aut confessu modum poenitentiae imponat. Comp. the mode in which conc. Cabilon. ann. 813, can. 38 (see above, § 19, note 5), still declares itself against all libelli poenitentiales. But even Atto, Cardinalis Presbyter, about 1080, before his capitulare, declares the Poenitentiale romanum to be apocryphum, and finds in it turpissima quae sanctis viris solet esse pudor dicere, et pudor audire. (Maji Scriptt. vett. nova coll. vi. ii. 60, 61).

⁴ The first trace of them is found perhaps in concil. Tribur. ann. 895, cap. 56–58. In a fuller form in Regino de Disc. eccl. lib. ii. c. 446. De redemtionis pretio : Si quis forte non potuerit jejunare, et habuerit, unde possit redimere; si dives fuerit pro vii. hebdomadis det solidos xx.: si non habuerit tantum, unde dare possit, det solidos x.—Sed attendat unusquisque, cui dare debeat, sive pro redemtione captivorum, sive supra s. altare, sive Dei servis, seu pauperibus in eleemosynam. C. 447 : Pro uno mense, quod in pane et in aqua poenitere debet aliquis, psalmos decantet mccc. genu flexo, et si non genu flexo, mdclxxx. C. 449 : Qui vero psalmos non novit, et jejunare non potest, pro uno anno, quod jejunare debet in pane et aqua, det in eleemosynam xxvi. solidos, etc. C. 454 : Cantatio unius Missae potest redimere xii. dies, x. Missae iv. menses, etc. In like manner in the canon. editis sub Edgardo rege, ann. 960 (Wilkins Conc. Magn. Brit. i. 237, ap. Mansi, xviii. 525), and in the Libris poenit. published by Morinus de Discipl. poenit. Edm. Martene de Ant. Eccl. rit. t. ii. and by Muratori Ant. Ital. med. aev. v. 719. This alms-giving was considered partly as in itself a good work, and partly as a mode of buying off penance. Poenitentiale ap. Murat. v. 726 : Et qui hoc facere non potest, quod superius dictum est, eligit sacerdotem justum, vel monachum, qui verus monachus sit, et secundum regulam vivat, qui pro se hoc adimpleat, et de suo justo pretio hoc redimat. On the consequences of it see Petrus Damiani, lib. i. Ep. 15 ad Alexandrum II. : Dum afflictio carnis a cunctis poenitentibus paene respiratur, in praeligendis poenitendum vigor carnae fuditus

exchanges soon degenerated into a proper traffic in sins, by which the Church was not a little enriched.⁵ Besides this, more frequent indulgences came to the aid of sinners.⁶ Hence, even times of penance could be imposed which reached far beyond the term of human life.⁷ For certain heavy crimes severer

enervatur. *Quamobrem aut liber omnino claudendus est canonum, aut a delegandae poenitentiae taxatione cessandum. Quis enim saccularium ferat, si vel triduo per hebdomadam jejunare praecipias? Modo stomachi laesionem simulant, modo splenitis, etc.*—Comp. generally Muratori de Redempt. peccatorum diss. in the *Ant. Ital.* v. 710.

⁵ Planck, iii. 678, judges perhaps too favorably of the buying off of sins practiced in these times. Comp. Spittler's *Werke*, i. 284.—Conc. Rotomag. ann. 1050, c. 18: *Ut poenitentes occasione avaritiae gravare aut levare nemo praesumat; sed juxta modum culpac vel possibilitatem naturae moderentur poenitentiae.* The connection in which they stood with numerous endowments bestowed on churches and convents see in Petrus Damiani, lib. iv. Ep. 12, ad v. Episc.: *Non ignoras, quia, cum a poenitentibus terras accipimus, juxta mensuram muneris eis de quantitate poenitentiae relaxamus, sicut scriptum est: divitiae hominis redemptio ejus (Prov. xiii. 8).* Hence the formulary used in documents of bequest at this period, especially in Upper Italy: *Quisquis in sanctis ac venerabilibus locis ex suis aliquid contulerit rebus, juxta Auctoris vocem in hoc saeculo centuplum accipiat; insuper, et quod melius est, vitam possidebit aeternam (Muratori Antiqu. Ital. v. 628).* Comp. the donatio facta coenobio Casauriensi, ann. 1032 (in Muratorii Script. rer. Ital. ii. ii. 994): *Cum quadam die cogitare coeprimus, qualiter impi et peccatores, qui peccata sua redimere (after Dan. iv. 24) negligunt, in illa poena perpetua cum diabolo damnabuntur;—cum tremore et aestuatione cordis coepimus anxie quaerere consilium a sacerdotibus et religiosis viris, qualiter peccata nostra redimere, et iram aeterni judicis evadere possemus.* Et consilio accepto, quod nil sit melius aliud inter eleemosynarum virtutes, quam si de propriis rebus et substantiis nostris in monasterio dederimus, etc. In like manner the donatio facta Tremitensi coenobio, ann. 1055, almost word for word in Muratori Antiqu. Ital. v. 631. How earlier Catholic Christians judged about the Arians on account of such matters may be seen in Vol. I. Div. II. § 108, note 9.

⁶ For example, the indulgence bestowed by Pontius archbishop of Arles, A.D. 1016, on a new conventional church, in d'Achery *Spicileg.* iii. 383, and Mabillon. *Annal. Bened.* lib. liv. no. 26: *A penitent ad jam dictari ecclesiam si venerit, in die videlicet dedicationis ejus, aut semel in anno cum sua vigilia, et adjutorium dederit ad opera ecclesiae S. Mariae,—sit absolutus ab ipso die, quo sua vigiliam fecerit, de tertia parte majorum peccatorum, unde poenitentiam habet acceptam, usque ad ipsam diem revertentis anni.*—Denique illos, qui de minoribus peccatis sunt confessi, et habent acceptam poenitentiam, absolvimus de una medietate acceptae poenitentiae, etc. In the 11th century the popes too began occasionally to issue plenary indulgences. The infamous Benedict IX. (Mabillon. *Act. SS. ord. Bened. saec. v. praef. no. 109*) first bestowed on the church of St. Victor at Marseilles, at its consecration, the privilege, that every one who repaired to it, omnium criminum squaloribus absolutus libere ad propria laetus redeat, eo scilicet tenore, ut transacta peccata sacerdotibus confiteatur, et de reliquo emendetur. Afterward the like practice is first met with again under Alexander II. who in 1065 tam iis, quos tunc praesentes esse contigerat, quam omnibus, qui per octo continuos dies ob devotionem tantiae solemnitatis ibidem accurrere possent, confessorum peccatorum absolutione concessa, dedicated a new church in Cassino (*Chron. Casin.* iii. c. 31, in Muratorii *Rer. Ital. script. iv. 449*), and A.D. 1070, at the consecration of a church in Lucca concessit, ut octo dierum spatio dedicationis memoria perageretur annis singulis, concessa indulgentia poenitentiae (ex cod. Vatic. in the *propylaeum ad Acta SS. Maji*, i. 132, no. 8), where the expression *indulgentia* first appears. Comp. Eus. *Amort de Origine, progressu, valore ac fructu indulgentiarum.* August. *Vind.* 1735. fol.

⁷ So Petrus Damiani to Archbp. Guido of Milan (cf. § 25, note 13). Petri Dam. *Opusc. v.*

penances were common;⁸ but in the eleventh century, rigid exercises of penance, particularly pilgrimages to Rome and Palestine,⁹ and the process of flagellation, recommended in particular

(ap. Mansi, xix. 893): Centum itaque annorum sibi poenitentiam indidi redemptionemque ejus taxatam per unumquemque annum pecuniae quantitate praefixi.

⁸ So for parricidium, cf. vita S. Conwojonis lib. iii. c. 1 (in Mabillon. Acta SS. ord. Bened. saec. iv. ii. 215): Tunc sanctus Praesul jussit illum Diaconem ferro ligari per collum et brachia, sicut in lege parricidarum censetur, imperavitque ei, ut loca sancta circuaret, et inde sinenter Deum omnipotentem pro reatu suo postularet. Ibid. lib. iii. c. 8, p. 219: Episcopi jusserunt fabricare catenas ferreas, et ligare eos per brachia et per lumbos strictim: et sic loca sancta circuarent in cinere et cilicio, quo usque Dominus ricerperet poenitentiam eorum. Vita S. Wolfgangi Ep. Ratisbon. by Othonius monk in Hersfield († after 1068), c. 41 (ap. Pertz, vi. 542): Homo pauperculus quidam, qui ob criminum multorum perpetrationem circulis ferreis in utroque brachio fuit constrictus, et ex hoc gravissimis quotidie suppliciis afflatus, cum multa sanctorum loca pro ejusdem cruciatus remedio commissisque sceleris abolitione perlustrasset, divina tandem miseratione respectus, ferri ligamen, quod in uno gestabat brachio, per sancti viri Adalberti merita amittere meruit. Deinde etiam quoniam S. Wolfgangi famam per longinas audivit regiones, ad Ratisponam veniens, ibique ante sepulchrum ejus orationi insistens, alterius circuli cruciatu absolutus est. Cf. Petrus Damiani de vita Romualdi, c. 28 (Opp. ed. Cajctani, ii. 218). Mabillon. Annal. Bened. lib. 48, no. 63, iii. 647. However, even here abuses had early made their appearance. See Rabani Mauri Epist. ad Clerum Argentin. in Kunstmann's Raban. Maurus; S. 214: Et quia parricidae aliqui vadunt per diversas provincias et civitates vagando, comessationibus atque ebrietatis operam dando, diceentes, se ita poenitentiam agere debere; cum in hoc non imminuant sclera sed augent decrevit s. Synodus, ut in uno loco manentes districtae poenitentiae se subjiciant et orationibus vident, si forte omnipotens Dei bonitas veniam peccati aliquando illis tribuat.—Besides, offenses against the church were looked upon as requiring peculiarly severe penances; for example, Lamberti Ann. ad ann. 1046 (Pertz, vii. 154): Dux Gotefridus—civitatem Verdonensem cepit, majorem in ea Ecclesiam concremavit. Sed post modicum facti in tantum poenituit, ut publice se verberari faceret, et capillos suos, ne tenerentur, multa pecunia redimeret, sumtus ad reaedificandam Ecclesiam daret, et in opere caementario per se ipsum plerumque vilis mancipii ministerio functus deserviret.

⁹ Pilgrims Romei and Romipetae see du Fresne Glossar. s. h. v.—Glab. Radulph. iv. c. 6: Per idem tempus (about 1033) ex universo orbe tam innumerabilis multitudo coepit confluere ad sepulchrum Salvatoris Hierosolymis, quantum nullus hominum prius sperare poterat. Primitus enim ordo inferioris plebis, deinde vero mediocres, posthac per maximi quique Regis et Comites, Marchiones ac Praesules: ad ultimum vero, quod nunquam contigerat, mulieres multae nobiles cum pauperioribus illuc perrexere. Pluribus enim erat mentis desiderium mori, priusquam ad propria reverterentur,—multi ob vanitatem profiscuntur, ut solummodo mirabiles habeantur. In the year 1064 several German bishops traveled with a great retinue to Palestine (Lambert. ad ann. 1064 et 1065, ap. Pertz. vii. 168). From the ninth century the pious and curious were attracted thither by the lumen seu ignis sancti sepulchri (first mentioned by Bernardus Monachus, 870, in Willelmii Malmesbur. de Gestis Reg. Angl. iv. c. 2; and Monachus Gallus Anonymus, in the time of Nicolaus I., in his Itinerarium in Mabillon. Act. SS. ord. Bened. saec. iii. ii. 523). Cf. Mosheim de Lumine s. sepulchri (ejusd. Dissertatt. ad hist. eccl. pertin. ii. 211). The transition from symbolical discourse to symbolical action, which afterward gave occasion to that false miracle, is indicated by the following passages: Eliae Cret. Comm. in Gregorii Naz. Orat. xix. (Gregorii Opp. ed. Paris. 1630. ii. 738): Splendidam autem noctem cam, quae diem hunc praecessit, appellat, ut quae peccati tenebras solverit: nam cum in ea per certam oeconomiam lux vera delitusset, ac postea e sepulchro exorta esset, peccati tenebrae deletae sunt. Zachariae P. Epist. ad Bonifacium (in Bonif. Epist. ed. Würdtwein. Ep. 87, p. 250): De igne autem paschali quod inquisisti,—quinta feria Paschae, dura

by *Petrus Damiani*, were very often undertaken spontaneously, with the idea that the customary penance was too easy to propitiate Deity.¹⁰

The authority of the Church to grant or refuse forgiveness of sins, was looked upon with the more awe, inasmuch as it had now extended for a long time even to the dead.¹¹ *The in-*

sacrum chrisma consecratur, tres lampades magnae capacitatis—in secretiori ecclesiae loco ad figuram interioris tabernaculi insistentes, indeficierent cum multa diligentia inspectae ardebunt, ita ut oleum ipsum sufficere possit usque ad tertium diem. De quibus candelis sabbato sancto pro sacri fontis baptismate sumtus ignis per sacerdotem renovabitur. In the church of the ascension on the Mount of Olives, there also appeared earlier a peculiar miracle. See Beda de Locis sanctis, c. 7: *In die ascensionis dominicae per annos singulos, Missa peracta, validi flaminis procella desursum venire consuevit, et omnes, qui in Ecclesia fuerint, terrae prosternere.* Proofs that in Palestine they had learned not only to sympathize with the seeking after relics, but also the miracle seeking of the pilgrims.

¹⁰ As early as Regino de Discipl. eccl. ii. c. 442, ss., they are mentioned as proposed by individuals (quidam dixerunt, quidam judicaverunt, etc.), ex. gr., for one day xii. plagues or persecutions. But they did not become general till Petrus Damiani brought them forward. Damiani's pupil, Dominicus Loricatus († 1062) distinguished himself by his voluntary exploits in this kind of penance. Concerning him, Petri Dam. vita SS. Rodulphi Ep. Eugubini, et Dominic Loricati (Opp. ii. 233). The tariff may be seen in Petr. Dam. Opusc. li. de vita eremita et probatis Eremitis ad Teuzonem Eremitam, c. 8 (Opp. iii. 400): *Cum tria scoparum millia unum poenitentiae annum apud nos regulariter expleant; decem autem psalmorum modulatio, ut saepe probatum est, mille scopas admittat; dum cl. psalmis constare psalterium non ambigitur, quinque annorum poenitentia in hujus psalterii disciplina recte supputantibus invenitur. Sed sive quinque vicies ducas, sive viginti quinques, centum fiunt. Consequitur ergo, ut qui viginti psalteria cum disciplina decantat, centum annorum poenitentiam se peregisse confidat.* Quamquam et in hoc plerosque noster Dominicus supererit: quia cum nonnulli unam manum in disciplinis agendis exercerant, iste ut revera Benjamin filius (Judic. iii. 16) contra rebelles carnis illecebras ultraque manu infatigabiliter pugnat. Hanc autem centum annorum poenitentiam, ut mihi ipse professus est, facile sex diebus ex more consummat. On the spread of this penitential discipline see Petri Dam. Opusc. I, institutio monialis ad Blancam Comitissam, c. 14 (Opp. iii. 395): *Hujus s. senis exemplo facienda disciplinae mos adeo in nostris partibus inolevit, ut non modo viri, sed et nobiles mulieres hoc purgatoriis genus inhibitor arriperent.* Thus a woman of rank had told him, per praefixam hujus disciplinae regulam centum annorum se poenitentiam peregisse. Damiani, however, had still to defend his new discipline against various opponents, particularly against a monk, Peter, and against Cardinal Stephanus. Cf. Damiani Epist. lib. vi. Ep. 27, ad Petr. cerebrosum monachum and Opusc. xlvi. de laude flagellorum et disciplinae ad Casinenses monachos. Comp. Mabillon. Ann. Bened. lib. lx. no. 83, ss. Die christlichen Geitzlergesellschaften, von D. E. G. Förstemann. Halle. 1828. S. 9, ff.

¹¹ Supported particularly on Gregorii M. Dial. ii. c. 23, iv. c. 55. Cf. Joannis VIII. Ep. 66, ad Episcopos in regno Ludovici constitutos, ann. 878: *Quia veneranda fraternitas vestra modesta interrogatione sciscitans quacsivit, utrum hi, qui pro defensione sanctarum Dei Ecclesiae et pro statu christianae religionis ac reipublicae in bello nuper ceciderunt, aut de reliquo pro ea re casuri sunt, indulgentiam possint consequi delictorum; audenter Christi Dei nostri pietate respondemus, quoniam illi, qui cum pietate christianae religionis in bello certamine cadunt, requies eos aeternae vitae suscipiet, contra Paganos atque intideles strenue dimicantes, etc.* Nostra praefatos mediocritate, intercessione b. Petri Apostoli, cuius potestas ligandi atque solvendi est in caelo et in terra, quantum fas est, absolvimus, precibusque illos Domino commendamus. At the conc. Lemovicense ii. ann.

terdict was invented for the purpose of bending sinners in high stations.¹²

§ 36.

INFLUENCE OF THE CHURCH IN THE PRESERVATION OF CIVIL ORDER.

From the middle of the ninth century, the clergy, yielding to the rude notions of the times, began to assume the superintendence of *the ordeal*,¹ an institute both ancient and important

1031, Jordan, bishop of Limoges, defends this authority at length. Sess. ii. (ap. Mansi, xix. 539) especially with Gregorii M. Dial. lib. ii. : Tantam Ecclesiae suae Christus largitus est virtutem, ut etiam, qui in hac carne vivunt, jam carne solutos absolvere veleant, quos vivos ligaverant. Examples: Hattonis Ep. ad Joh. P. IX. § 25, note 10). Count Erlebald is absolved, after his death, by the archbishop of Rheims, at the synod of Trosley (ann. 921) (Flodoard. Hist. Eccl. Rhem. iv. c. 16).

¹² We meet with even earlier individual cases, in which passionate hierarchs extended ecclesiastical punishment to entire societies to which the guilty belonged; but this was always disapproved. Thus Augustinus, Ep. 250, blamed one bishop Auxilius on account of such a proceeding, and shows him how unjust it is, aliquem cum omni domo sua anathematis sententia ferire, and animas innocentes pro scelere alieno, spiritali supplicio punire. The interdict which Hincmar, bishop of Laon, inflicted on his diocese (869), was very much disapproved and removed by Hincmar of Rheims. See Hincmar Opusc. xxxiii. adv. Hinem. Laud. c. 28, 30–32. The first example of an uncontradicted interdict is in Ademari Engolismensis (about 1029) Chron. ad ann. 994 (ap. Bouquet, x. 147): Alduinus Episcopus Lemovicensis pro nequitia populi novam observantiam constituit, scilicet Ecclesias et Monasteria cessare a cultu divino, a sacrosancto sacrificio, et populum quasi paganum a divinis laudibus cessare: et hanc observantium excommunicationem censebat. After this example the interdict was now introduced as the legal punishment against those who should disturb the peace of the country, at the instance of Odolricus, abbot of St. Martial, at the conc. Lemovicense ii., ann. 1031 (ap. Mansi, xix. 541). The proposal of the abbot, which was adopted, was: Nisi (principes militiae Lemovicensis) de pace acquieverint, ligate omnem terram Lemovicensem publica excommunicatione: eo videlicet modo, ut nemo, nisi clericus, aut pauper mendicans, aut peregrinus adveniens, aut infans a bimatu et infra, in toto Lemovicino sepeliatur, nec in alium episcopatum ad sepeliendum portetur. Divinum officium per omnes Ecclesias latenter agatur, et baptissimus potentibus tribuatur. Circa horam tertiam signa sonent in Ecclesiis omnibus, et omnes proni in faciem preces pro tribulatione et pace fundant. Poenitentia et viaticum in exitu mortis tribuatur. Altaria per omnes Ecclesias, sicut in paraseue, nudentur: et crucis et ornamenta abscondantur, quia signum luctus et tristitiae omnibus est. Ad Missas tantum, quas unusquisque sacerdotum januis Ecclesiarum obseratis fecerit, altaria induantur, et iterum post Missas nudentur. Nemo in ipsa excommunicatione uxorem ducat: nemo altari osculum det. Nemo clericorum aut laicorum, vel habitantium, vel transeuntium, in toto Lemovicino carnem comedat, neque alias cibos, quam illos, quibus in quadragesima vesci licitum est. Nemo laicorum aut clericorum tondeatur, neque radatur, quosque districti principes, capita populorum, per omnia sancto obedient concilio. Comp. Planck, iii. 516.

¹ Charlemagne had allowed the ordeal to continue (Capitulare iv. ann. 803, c. 3), and merely forbade the appeal to God by fighting (cap. i. ann. 804, c. 14: Ad declarationem rei dubiae judicio crucis Dei voluntas et rerum veritas inquiratur, nec unquam pro tali

in German jurisprudence; though they had hitherto generally overlooked it, or in part directly discountenanced it.² By this means, they certainly rescued many a victim from superstition by their mild use of the instrument.³ Of like utility in this rude and fierce age was the *truce of God* (*treuga Dei*),⁴ first

causa cujuslibet generis pugna vel campus ad examinationem judicetur). Lewis the Debonaire forbade also Capit. ann. 816, c. 27, examinationem crucis, ne quae Christi passione glorificata est cujuslibet temeritate contemptui habeatur, and though still Pope Eugenius II. prescribed ritus probationis per aquam frigidam (in Mabillon. Analect. p. 161), yet Lewis ordained, Cap. Wormat. ann. 829, tit. ii. c. 12 (Baluz. i. 668), ut examen aquae frigidae, quod hactenus faciebant, a Missis nostris omnibus interdicatur ne ulterius fiat. Against the ordeal generally Agobard declared himself (see above, § 10, note 13). So also Pope Stephen V. Epist. ad Leutbertum (not Heribertum, as Baron. ann. 890, no. 7, has) Episc. Moguntin. about 888 (Mansi, xviii. 25): *Ferri candentis vel aquae ferventis examinatione confessionem extorqueri a quolibet, sacri non censem canones: et quod SS. Patrum documento sancitum non est, superstitiosa adinventione non est praesumendum.* Still later papal disapprovals see in d'Achery notae ad Guiberti Abb. Opp. Paris. 1651. fol. p. 661.

² First defended by Hincmar. de Divort. Loth. et Theutb. (see § 21, note 5), especially with Num. v. 11, ss., and in his Epist. 39, ad Hildegardum Ep. Meldensem. Conc. Wormat. ann. 868, can. 15 (Mansi, xv. 872) decrees that, in cases of theft in convents, the suspected monks pro expurgatione sua corpus et sanguinem Domini nostri J. Chr. percipient. Conc. Tribur. ann. 895, can. 21: Presbyter vice juramenti per s. consecrationem interrogetur: on the other hand, a suspected layman, can. 22, aut Episcopo vel suo misso discutiens, per ignem candenti ferro caute examinetur. But the ordeal by duel remained forbidden, conc. Valent. ann. 855, c. 12. Nicolai I. Ep. 50, ad Carol. Calv. A.D. 867 (Mansi, xv. 319). Directions for the hindrance of ordeals in Aethelstani B. Angl. Constitut. ann. 928, c. 5 (Wilkin's Conc. M. Brit. i. 206, Mansi, xviii. 353). Ordo diffusor probandi homines de crimine suspectos per ignitos vomeres, candens ferrum aquam, ferventem s. frigidam, in B. Pez. Thes. anecdot. ii. p. 2. Comp. F. Maier Gesch. d. Ordalien. Jena. 1795. 8. Zwicker über d. Ordale. Gött. 1818. 8. Especially M. Gerbert. Monum. veteris liturg. Alleman. ii. 553.

³ William Rufus, king of England, said, in 1096, when fifty nobles had purified themselves in his presence by the fire-proof process (Spellmann Codex legum Angliae, in Houard Anciennes loix des François. Rouen. 1766. ii. 213): *Meo judicio amodo respondebitur, non Dei, quod pro voto cujusque hinc inde plicatur.*

⁴ Even before, the bishops had attempted to put an end entirely to private feuds. Thus, A.D. 994, in a time of pestilence, at a council held at Limoges pactum pacis et justitia a Duce et Principibus vicissim foederata est (Chron. Ademari, written 1029, ap. Bouquet, x. 147). Thus in 1016 King Robert proposed a council at Orleans de pace componenda (Fulberti Carnot. Ep. 21, ad Robert. ibid. p. 454). Comp. farther, Bouquet, x. 172, 224, 379. Besides, the bishops of Burgundy had made a decree, ut tam sese, quam omnes homines sub sacramento constringerent, pacem videlicet et justitiam servaturos (Balderici Chron. Camerac. et Atrebat. written 1082, lib. iii. c. 27, ibid. p. 201); in like manner the Aquitanian bishops in conc. Lemovic. ii. ann. 1031 (Mansi, xix. 530, comp. § 35, note 12), and their example was followed by the other French provinces, Glaber Radulph. iv. cap 5, ap. Bouquet, x. 49; and especially Chron. Camerac. et Abrebat. ap. Bouquet, xi. 122: *Istiusmodi decretum a Franciae Episcopis datum est servari subjectis sibi populis. Unus eorum caelitus sibi delatus dixit esse litteras, quae pacem monerent renovandam in terra. Arma quisquam non ferret, direpta non repeteret: sui sanguinis vel cujuslibet proximi ulti minime existens, percussoribus cogeretur indulgere, etc.* Here the language throughout relates to a total abolition of club-law; and therefore the *pax*, which was the object of all such attempts has been erroneously confounded with the later *treuga*. Gerardus Abb.

established in Aquitania (1041), but soon adopted in the neighboring countries also.⁵

(Miracul. S. Adalhardi lib. i. written about 1050, ap. Bouquet, x. 379) thus describes one of these compacts belonging to the year 1021: *Ambianensis et Corbeïenses cum suis Patronis (remains of patron saints) conveniunt, integrum, pacem. i. e., totius hebdomadæ (in opposition to the latter treuga) decernunt,—ut si qui disceptarent inter se aliquo dissidio, non se vindicarent praeda aut incendio, donec statuta die ante ecclesiam coram Pontifice et comite fieret pacificalis declamatio.* As this complete peace could not be attained, the Treuga Dei was substituted. Comp. Stenzel's *Gesch. Deutschlands unter den frank. Kaisern*, i. 88.

⁵ Glaber Radulph. v. c. 1 (Bouq. x. 59): *Anno **MXII**. contigit, inspirante divina gratia, primitus in partibus Aquitanicis, deinde paulatim per universum Galliarum territorium, firmari pactum propter timorem Dei pariter et amorem: taliter ut nemo mortalium a seriac quartae vesperi usque ad secundum feriam incipiente luce, ausu temerario praesumeret quippam alicui hominum per vim auferre, neque ultionis vindictam a quocumque inimico exigere, nec etiam a fidejussore vadimonium sumere; quod si ab aliquo contigisset contra hoc decretum publicum aut de vita componeret, aut a Christianorum consortio expulsus patria pelleretur. Hoc insuper placuit universis, veluti vulgo dicitur, ut Treuga Domini vocaretur: quae videlicet non solum humanis fulta praeisdii, verum etiam multotiens divinis suffragata terroribus. Contigit enim, ut dum paene—per totas Gallias hoc statutum firmiter custodiretur, Neustriae gens illud suscipere recusaret. Deinde quoque occulto Dei judicio coepit desaevire in ipsorum plebis divina ulti: consumxit enim mortifer ardor multos, etc.* Hugo Flaviniacensis in Chron. Virdunense (written 1102) ap. Bouquet, xi. 145, relates the same more briefly, ad ann. 1041, and then adds; *Superest adhuc dominus Eduensis Episc.—qui et referre solitus est, quia cum a S. Odilone et caeteris ipsa pax divinis revelationibus instituta, Treva Dei appellata, et ab Austrasiis suscepta fuisset,—negotium hoc strenuitati hujus patris nostri Gratiae Dei ab omnibus impositum est, ut ejus studio et industria pax eadem in Neustria servaretur, etc.* The oldest document on the subject is the *Sermo et confirmatio SS. Patrum*, A.D. 1041, by Raginbaldus Arelat. Archiep., Benedictus, Avenionensis, Nitardus Nicensis, Ab. Odilo and all the Gallic clergy, addressed to the clergy of Italy, recommending the treuva Dei (in Martene et Durand. Thesaur. anecd. i. 161, Mansi, xix. 593):—*Quicumque hanc pacem et treuvam Dei observaverint, ac firmiter tenuerint, sint absoluti a Deo Patre omnipotente, et Filio ejus J. Chr. et Spiritu S., de S. Maria cum choris virginum, et de S. Michaele cum choris angelorum, et de S. Petro—cum omnibus Sanctis.* Qui vero treuvam promissam habuerint, et se sciente infringere voluerint, sint excommunicati a Deo Patre, etc., maledicti et detestati, hic et in perpetuum, et sint damnati sicut Dathan et Abiron, et sicut Judas, qui tradidit Dominum, et sint demersi in profundum inferni, sicut Pharao in medio maris, si ad emendationem non venerint. Afterward adopted by William Duke of Normandy, 1042 (Mansi, xix. 597). Constitut. pacis et treugae in vico Ausonensi (Marca Hispan. illustr. a P. de Marca, app. p. 1140, and ap. Bouquet, xi. 512). Excerpta concilii apud S. Aegidium habitu 1042, (ap. de Marca de Conc. Sac. et Imp. annexed to lib. iv. c. 14, ed. Boehmer, p. 416, ap. Bouquet, xi. 513), conc. Tulugiense (Tuluajes at Perpignan, about 1045, ap. de Marca, l. c. p. 409; and ap. Bouquet, xi. 510.) Synod Heleensis (Perpignan) sub Oliba Ep. Ausonensi, A.D. 1047 (ap. de Marca, p. 411; Bouquet, p. 514), where the time of the treuga is already brought down ab hora sabbati nona usque in die lunis hora prima. Conc. Narbonense, A.D. 1054 (de Marca, p. 412; Bouq. p. 514; Mansi, xix. 827). Often renewed subsequently.

SEVENTH CHAPTER.

SPREAD OF CHRISTIANITY.

§ 37.

IN THE NORTH OF EUROPE.

Chief authority: Adami Bremensis (wrote between 1072 and 1076) *Hist. eccles. prae-sertim Bremensis libb. iv.* (prim. ed. A. S. Vellejus Hafniae, 1579) and ejusd. *Lib. de situ Daniae et reliquarum, quae trans Daniam sunt, regionum natura, moribus et religione,* ed. Erpold. *Lindenborgius. Lulg. Bat.* 1595. 4; and in his *Scriptt. rerum germ. septentrionalium. Francof.* 1609. fol. J. J. Maderus. *Helmst.* 1670. 4, translated with remarks by Carsten Misegaes. *Bremen.* 1825. 8. Cf. Jac. Asmussen de Fontibus Adami Brem. comm. *Kiliae.* 1834. 4.

In *Denmark*, where Anschar had established Christianity in its weak beginnings (comp. above, § 16), it had afterward to suffer much persecution, till the German king, *Henry I.*, extorted toleration for it from *Gorm the Old* (about 934). Accordingly, the number of the Christians increased under King *Harald Blaatand* (from 941–991), especially in Jutland. This was in a great measure owing to intercourse with the Normans, who had been longer settled and converted in *England*, and *France* especially under *Rollo* or *Robert* (911).¹ On the other hand, it was checked by the apparent connection of Christianity with German sovereignty, particularly after *Harald* had been compelled to submit to baptism by *Otto I.*² (about 965).³ This

¹ Depping *Hist. des expéditions maritimes des Normands et de leur établissement en France au dixième siècle.* Paris. 1826. 2 voll. 8.

² See Asmussen über die Kriegszüge der Ottone gegen Dänemark, in Michelsen's and Asmussen's Archiv. f. Staats- u. Kirchengesch. v. Schleswig, Holstein u. Lauenburg, Bd. 1 (Altona. 1833), S. 197.

³ Of what character Christianity had been up to this time in Denmark may be seen from the narration of Widukind, the contemporary monk of Corbey, iii. 63 (Pertz, v. 462): *Dani antiquitus erant Christiani, sed nihilominus idolis ritu gentili servientes. Contigit autem alterationem super cultura deorum fieri in quodam convivio Rege praesente, Danis affirmantibus, Christum quidem esse deum, sed alias eo fore maiores deos, quippe qui potiora mortalibus signa et prodigia per se ostenderent.* On the other hand, a cleric, Poppo, confessed the Christian faith and stood the fire-proof for it (comp. on the transaction Giese-brecht's *Wendische Geschichten*, i. 197). *Ad haec rex conversus, Christum deum solum colendum decrevit, idola respuenda subjectis gentibus imperat, Dei sacerdotibus et ministris honorem debitum deinde praestitit.* Otto at that time erected the three bishoprics of Schleswig, Ripen, and Aarhus in Jütland, and subordinated them to the Archbishop of Hamburg. Adam. Brem. *Hist. eccl. lib. ii. c. 2, de situ Daniae, c. 1.*

was especially the case in the islands, where the heathen were the more numerous. At the head of the foes of Christianity appeared at first *Swen*, heir to the throne; but after he had become king (991–1014), and began to invade England, he tolerated and even favored its spread. His son, *Knut the Great* († 1035), completed the work by means of English priests.⁴

In Norway Christianity had first been introduced from England, and was obliged, in the beginning, to encounter very severe struggles, till *Olaf Trygvesen* (995–1000) undertook the conversion of his countrymen by force, which work was completed by *Olaf the Holy* (1019–1033), in the same mode.⁵ From Norway, Christianity was carried, by Olaf Trygvesen's endeavors, to *Iceland*,⁶ the *Faro and Shetland Isles*,⁷ and even to *Greenland*.⁸

In Sweden, Christianity had increased its votaries in a more peaceful way, from the time of Anschar, though it was very often mingled with paganism. From the time of *Olaf Skaut-Konung* (baptized about 1008), the kings were Christians. King *Inge* at length forbade all worship of idols (1075), and obtained for Christianity complete victory in Sweden, after a severe contest with the rebellious heathen of his kingdom.⁹

All these countries belonged to the ecclesiastical province of the archbishopric of *Hamburg-Bremen*, till, A.D. 1104, the archbishopric of *Lund* was founded, and the north subjected to it.¹⁰

⁴ Annales Ecclesiae Danicae diplomatici zusammengetragen von Erich Pontoppidan. (Th. 1 bis Th. 4. Bd. 1. Copenh. 1741–1753. 4.) Th. 1. F. Münter's Kirchengeschichte v. Dänemark und Norwegen. Th. 1 (Leipz. 1823. 8), S. 322, ff.

⁵ Chief authority is Snorro Sturleson's († 1241) Heimskringla (History of the Norwegian kings) translated into German by F. Wachter, Leipz. 1835, 36. 8), and in it especially Olaf. Trygvesens Saga u. Saga af Olafi hin Helga. Münter. i. 429.

⁶ Authorities are the Iceland-book of the priest Are the Wise († 1148), c. 7, ss. translated in Dahlmann's Forschungen auf dem Gebiete der Geschichte, Bd. 1 (Altona. 1822), S. 472, ff.; the Hungurvaka s. Hist. primorum quinque Skalholtensium in Islandia Episcoporum (probably by Magnus, from 1215 bishop at Skalholt). Hafn. 1778. 8 (an extract in Schneider's Bibliothek d. Kirchengesch. i. 265; and the Kristni-Saga s. Hist. religionis christ. in Islandiam introductae (of the 14th century). Hafn. 1773. 8. Fini Johannaei (Finnur Joensen, bishop of Iceland) Hist. eccl. Islandiae. Hafn. 1772–75. 3 t. 4. (Comp. the Göttingen Geleh. Anz. A.D. 1777, S. 273 ff.) Münter, i. 517.

⁷ Münter, i. 548.

⁸ Münter, i. 555.

⁹ Claudio Oerubjalm Historia Sueonum Gothorumque ecclesiasticae libb. iv. priores. Stockholm, 1689. 4. Rühs Gesch. v. Schweden (also as the sixty-third part of the Allgem. Weltgeschichte. Halle, 1803). 2tes Buch.

¹⁰ Münter, ii. 76.

§ 38..

CONVERSION OF THE MORAVIANS AND BOHEMIANS.

The conversion of the Slavonian nations dwelling to the east of Bavaria was looked upon as their official duty, both by the archbishop of Salzburg, to whom it had been intrusted by Charlemagne, and the bishop of Passau, who laid claim to the metropolitan rights of the ancient archbishopric of Lorch. But from the entire dissimilarity of language, Christianity could not attain to life in these lands; while the external condition of it always depended on the degree of German influence.¹ Very different, however, was the success of the two Greek monks, *Constantine* and *Methodius*,² who, after previous missionary

¹ Respecting Salzburg's endeavors, which were directed toward the Slavonians dwelling south of the Raab river, especially toward the state of Little Moravia, Pannonia Savia (Slavonia, Croatia, and a part of Styria), ruled since 830 by Priminna († 861), afterward by Chozil, under French sovereignty, see de Conversione Bojariorum et Carentanorum, written by a Salzburg priest, A.D. 873 (in Marquardi Freheri Rer. Bohemicarum scriptt. p. 15; more complete, but from Aventin's copy, which is not verbally accurate, in Ocelii Scriptt. rer. Boic. i. 780. First critical edition in B. Kopitar Glagolita Clozianus, i. e., codicis glagolitici antiquissimi λειψανον. Viennae. 1836. fol. p. lxxii). The Salzburg archbishops, from the time of Arno, maintained an Episc. regionarium for the Slavonians, but Adelwin entirely took away this office (before 865), and took the few churches under his own inspection. Bishop Urolf of Passau even went so far as to appoint beforehand four suffragan bishops for his portion, and had these confirmed by Eugenius II. about 824 (Eugen. II. bull. in Goldast. Comm. de regn. Bohem. juribus, ed. Schminck, t. i. Opp. p. 1, ap. Mansi, t. xiv., and often with a commentary in Hageki, Ann. Bohem. ed. Dobner, ii. 486): but his only object in this was to have suffragans to keep up the appearance of being successor to the old archbishop of Lorch. We know nothing of the efforts of the bishops of Passau to bring Christianity to Great Moravia, where Ratislaw reigned till 870, and Swatopluk till 894.

² Sources: I. Latin: 1. Vita Constant. cum translatione S. Clementis (Act. SS. Mart. ii. 19, composed, perhaps, by Gaudericus, bishop of Veltitrae, a contemporary, ib. p. 15, ap. Dobrowsky: the Italian legend). 2. Presbyteri Diocleatis (about 1161) regnum Slavorum, c. 8. ss. (in Jo. Lucii de Regno Dalmat. et Croat. Amsteld. 1666. fol. p. 288, ss., in J. G. Schwandtneri Scriptt. rer. Hungar. iii. 479, and in Schlözer's Nestor, iii. 153). 3. Bohemian legends: (a.) Vita S. Ludmilla (Dobner in the Abhandl. d. böhm. Ges. d. Wiss. auf 1786, S. 417. Dobrowsky krit. Versuche i. 70). (b.) Vita S. Ludmillae et S. Wenceslai auct. Christauno de Scala mon. (partly in the Act. SS. Sept. v. 354, and vii. 825. The extracts belonging here are also found Mart. ii. 24. The author addresses the preface to Bishop Adalbert (about 985), and claims to be great-grandson of Ludmilla. Dobner ad Hageki, ann. iv. 328). According to Dobrowsky both legends (a) and (b), belong to the first half of the 14th century. (c.) Vita SS. Cyrilli et Methodii. (The first half is borrowed from the Italian legend, the second from Christiana. According to Dobrowsky it was composed in the 14th century in Moravia, hence called the Moravian legend, reprinted in Act. SS. Mart. ii. 22, and in Schlözer's Nestor, iii. 154; best by Dobrowsky: Mähr. Le-

labors in Chasaria and Bulgaria, came to Great Moravia (862),³ giving to the Slavic race in their language preaching, church service, and the holy Scriptures.⁴ From a journey to Rome, where Constantine (Cyril) died, Methodius came back as bishop (868) to his Slavonians,⁵ and began now, probably because Great Moravia

gente von Cyrill u. Method. Prag. 1826. 8.) II. *Greek.* Remarkable silence of all Greek contemporaries. Greek biography of Clement, archbishop of Bulgaria, a disciple of Methodius (†916), (fragment in Leon. Allatii in R. Creyghtoni Apparatum ad hist. conc. Florentini exercitationum, i. 259, published entire by Ambros. Pampereus. Wien. 1802. The author represents himself as a confidant of Clement, but Dobrowsky thinks he lived long after the 11th century). III. *Russian:* 1. Nestor's Annals, cap. 10 (in Schlozer's Extracts, iii. 149, according to Dobrowsky, inserted in the name of Nestor, in the 14th century). 2. Short Bulgarian legends, published by Kalajdowitsch (comp. Dobrowsky mähr. Legende, S. 64, ff.) 3. Legends in the Russian Menologium (ap. Schlozer, iii. 233, late and of no value).—*Works:* Among the older uncritical collections is conspicuous J. G. Stredowsky sacra Moraviae Hist. s. vita SS. Cyrilli et Methodii. Solisbaci. 1710. 4.—*Critical Works:* J. S. Assemani Calendaria Ecclesiae univ. (Romae. 1750–1755, t. vi. 4), tom. iii. Gelasii a S. Catharina [Gel. Dobner] Hageki Annales Bohem. illustrati (Pragae. 1761–1777. PP. v. 4.) Pars iii. Schlozer's commentary on Nestor's 10th chapter, l. c. Jos. Dobrowsky Cyril u. Method., der Slaven Apostel. Prag. 1823. 8. (Comp. Blumberger's review in the Wiener Jahrb. Bd. 26. 1824. S. 211; ff.) Dobrowsky mähr. Legende v. Cyril und Method. Prag. 1826. 8. (Comp. Blumberger's review in the Wiener Jahrb. Bd. 37. 1827. S. 41, ff.)

³ Italian legend, § 7: Audiens Rastilaus, Princeps Moraviae, quod factum fuerat a Philosopho in provincia Cazarorum: ipse quoque genti suae consulens ad praedictum Imperatorem (Michaelem) nuncios misit, nuncians hoc, quod populus suus ab idolorum quidem cultura recesserat, et christianam legem observare desiderabat; verum doctorem talem non habent, qui ad legendum eos et ad perfectam legem ipsam edoceat: rogare se, ut talem hominem ad partes illas dirigat. Cujus precibus annuens Imperator eundem supernominatum Philosophum ad se venire rogavit: cumque illuc—simul cum Methodio germano transmisit.

⁴ L. c.: Cooperunt itaque ad id quod venerant peragendum studiose insistere, et parvulos eorum literas edocere, officia ecclesiastica instruere, et ad correptionem diversorum errorum, quos in populo illo repererant, falcem eloquiorum suorum inducere. Manserunt ergo in Moravia per annos quatuor et dimidium, et direxerunt populum illius in fide catholica, et scripta ibi reliquerunt omnia, quae ad Ecclesiae ministerium videbantur esse necessaria. Against Dobrowsky (Cyril u. Method. S. 38, 52), according to whom Cyril was the inventor of Slavonic writing, but that the Glagolitic alphabet was first invented in the thirteenth century for the Latin-Slavonian liturgy, it is asserted by Kopitar (Glagolita Clozianus, p. x. lxxx. and in Chmel's österreich. Geschichtsforscher, Bd. i. Heft 3. 1838), that Cyril modeled the older Slavonic alphabet, which is substantially contained in the Glagoliza, after the Greek alphabet (Kiuriliza).

⁵ According to the Italian legend they were invited by Nicolaus, but on their arrival found Hadrian II. in his place. Constantine delighted the Romans by producing the body of St. Clement (who, according to a tradition first appearing in the Clementina epitome, c. 166, ss., in Cotelerii Patr. apost. i. 799, is said to have been banished to the Pontic Chersonese under Trajan, and to have suffered martyrdom there), and these consecraverunt iussum et Methodium in Episcopos, nec non et caeteros eorum discipulos in Presbyteros et Diaconos. Of the use of the Slavonic language in public worship we hear not a word as yet. The Bohemian legends first copy transactions as under Hadrian, from similar later ones under John VIII. respecting the same object (see notes 8 and 9.) Constantine proclaimed himself the old opponent of Photius (comp. the story of Anastasius praef. ad syn. viii. ap. Mansi, xvi. 6), besides at that time Constantinople appeared to bow beneath

was distracted with wars,⁶ to preach in the territory of the Moravian prince, *Chozil*. When every thing succeeded with him here also,⁷ he became an object of hatred to the Salzburg clergy, and was accused at Rome as a heretic. By this means *Pope John VIII.* became suspicious of the use of the Slavonic language in public worship,⁸ but Methodius justified himself at Rome, and obtained an express declaration from the pope in favor of the Slavonic worship (880).⁹ In the mean time, however, *Swatopluk*

Rome, and there were Greek ambassadors with the pope. Why therefore mistrust the successfully working Greek? ⁶ Dobner ad *Hageki Annales*, P. iii. p. 118, ss.

⁷ Anonym. de Convers. Bojoar. et Carent.: As late as 865, Adelwin, archbishop of Salzburg, dedicated several churches in Chozil's dominions, and the Salzburg high-priest, Richbald, remained so long with Chozil, usque dum quidam Graecus, Methodius nomine, noviter inventis Slavinis literis, linguam Latinam doctrinamque Romanam atque literas auctorales Latinas philosophice superducens, vilescere fecit cuncto populo ex parte Missas et Evangelia, ecclesiasticumque officium illorum, qui hoc latine celebraverunt. Quod ille (Richbaldus) ferre non valens, sedem repetivit Juvaviensem. View of the papal see in Joh. VIII. Epist. ad Ludov. R. about 874 (in Sam. *Timon Imago ant. Hungariae*, lib. ii. c. 16): Multis ac variis manifestisque prudentia tua poterit iudicis reprehendere, Pannoniam diocesis ab olim apostolicae sedis privilegiis deputatam ad Carolomann. (*ibid.*): redditio et restituto nobis Pannoniensium episcopatu, liceat praedicto fratri nostro Methodio, qui illic a sede apostolica ordinatus est, secundum priscam consuetudinem libere, quae sunt Episcopi, gerere. (Comp. the instructions given by John VIII. to the legate Paul, ap. *Mansi*, xvii. 261: Non enim solum intra Italiam ac caeteras Hesperiae provincias, verum etiam intra totius Illyrici fines consecrationes, ordinationes et dispositiones apostolica sedes antiquitus patrare consuevit, and therefore he even invited, Epist. 190, ad Salonianos clericos, this ecclesiastical province to unite itself again to Rome). This was probably in reference to the complaints of the Salzburg clergy.

⁸ Johannis VIII. Epist. 195, ad Method. Archiep. Pannonensem, A.D. 879 (*Mansi*, xvii. 133): Audivimus, quod non ea, quae s. Romana Ecclesia ab ipso Apostolorum principe didicit, et quotidie praedicat, tu docendo doceas, et ipsum populum in errorem mittas. Unde his apostolatus nostri literis tibi jubemus, ut omni occasione postposita, ad nos de praesenti venire procures, ut ex ore tuo audiamus et cognoscamus, utrum sic teneas, et sic praedices, sicut verbis et literis te s. Romanae Ecclesiae credere promisisti, aut nun; ut veraciter cognoscamus doctrinam tuam. Audimus etiam, quod Missas cantes in barbara, h. e. in Slavina lingua; unde jam literis nostris per Paulum Ep. Anconitanum tibi directis prohibuimus, ne in ea lingua sacra Missarum solemnia celebretur; sed vel in Latina, vel in Graeca lingua, sicut Ecclesia Dei toto terrarum orbe diffusa, et in omnibus gentibus dilatata cantat. Praedicare vero, aut sermonem in populo facere tibi licet, quoniam Psalmista omnes admonet Dominum gentes laudare (Ps. cxvii.), et Apostolus: "omnis," inquit, "lingua confiteatur, quia Dominus Jesus in gloria est Dei Patris" (Phil. ii. 11). In the same strain is the Epist. 194, ad Tuventarum de Marauna contemporaneously issued (in the first syllable of Tuventarus the Slavonic princely title Zupan is unquestionably concealed, see Frähm's *Ibn-Fotzlan über die Russen älterer Zeit*. Petersb. 1823. 4. S. 167). But the most important point of suspicion against the Slavonians is clear from Joh. VIII. Epist. 190, ad Salonianos clericos: Si aliquid de parte Graecorum vel Slavorum super vestra ad nos reversione, vel consecratione, aut de pallii perceptione dubitatis, etc.—At that time, therefore, Methodius was archbishop, and had other Episcopos regionarios under him; (cf. epist. ad Tuvent.) So probably Gorasdos, see Dobrowsky *Cyrill und Method. S. 121*. Hence the later legend of the seven suffragans, see *ibid.* p. 105.

⁹ Johannis VIII. Epist. 247, ad Sfentopulcrum Comitem, A.D. 880: Methodium venerabilim Archiepiscopum vestrum interrogavimus,—si orthodoxae fidei symbolum ita cre-

had become still more estranged from Methodius; the German, *Wiching*, whom he had appointed bishop of Neitra (880), ventured to be disobedient to his archbishop;¹⁰ and after Methodius' death,¹¹ the Greek-Slavonic clergy were even expelled from Moravia.¹² When Swatopluk's son, *Moimar*, attempted to

deret,—sicut s. Romanam Ecclesiam tenere—constat.—Nos autem illum in omnibus ecclesiasticis doctrinis et utilitatibus orthodoxum et proficuum esse reperientes, vobis iterum ad regendam commissam sibi Ecclesiam Dei remisimus, quem veluti pastorem proprium ut digno honore et reverentia laetaque mente recipiatis jubemus,—ipsum quoque Presbyterum nomine Wichinum, quem nobis direxisti, electum Episcopum consecravimus s. Ecclesiae Nitrensis, quem suo Archiepiscopo in omnibus obedientem, sicuti ss. canones docent, esse jubemus. Presbyteros vero, Diaconos, s. cujuscunque ordinis clericos, sive Salvos, sive cuiuslibet gentis, qui intra provinciae tuae fines consistunt, praecepimus esse subjectos et obedientes in omnibus jam dicto confratri nostro, Archiepiscopo vestro ut nihil praeter ejus conscientiam agant. Quodsi contumaces et inobedientes existentes, scandalum aliquod ut schisma facere praesumserint,—praecepimus esse procul abiciendos secundum auctoritatem capitulorum, quae illi deditus, et vobis direximus. Literas denique Slavonicas a Constantino quodam [quondam?] philosopho repertas, quibus Deo laudes debite resonent, jure laudamus; et in eadem lingua Christi Domini nostri paeconia et opera ut enarrentur, jubemus. Nequae enim tribus tantum, sed omnibus linguis Dominum laudare auctoritate sacra monemur. (Reference to Ps. cxvii. Act. ii. Phil. ii. 11, 1 Cor. xiv.) Nec sanae fidei vel doctrinae aliquid obstat, sive Missas in eadem Slavonica lingua canere, sive sacrum Evangelium, vel lectiones divinas novi et veteris Testamenti bene translatas et interpretatas legere, aut alia horarum officia omnia psallere: quoniam qui fecit tres linguis principales, Hebraeam scilicet, Graecam et Latinam, ipse creavit et alias omnes ad laudem et gloriam suam. Jubemus tamen, ut in omnibus Ecclesiis terrae vestrae propter maiorem honorisficiunt Evangelium latine legatur, et postmodum Slavonica lingua translatum in auribus populi, latina verba non intelligentis, annuncietur: sicut in quibusdam Ecclesiis fieri videtur. Et si tibi et iudicibus tuis placet Missas Latina lingua magis audire, praecepimus, ut latine Missarum tibi solemnia celebrentur.

¹⁰ Joh. VIII. Ep. 268, ad Methodium Archiepisc. A.D. 881. Worthy of note is the assurance, neque alia literae nostrae (as those, note 9) ad Sfentopulcrum ad eum directae sunt neque Episcopo illi palam vel secreto aliud faciendum injunximus, et aliud a te peragendum decrevimus; quanto minus credendum est, ut sacramentum ab eodem Episcopo exegerimus, quem saltem levi sermone super hoc negotio allocuti non fuimus (Wiching, therefore, probably asserted that he had immediate correspondence with the pope, and owed no obedience to Methodius). Ideoquæ cesset ista dubietas, etc. Caeterum et aliis tentationibus, quas diverso modo perpessus es, noli tristari. Cum Deo duce reversus fueris, quidquid enormiter adversum te est commissum, quidquid jam dictus Episcopus contra suum ministerium in te exercuit,—legitimo fini trademus, et illius pertinaciam judicii nostri sententia corripere non omittemus. Blumberger's doubts of the authenticity of the letters of John VIII. mentioned in notes 8–10 (see Wiener Jahrb.-Bd. 26, S. 232, and renewed in the same journal, vol. 37, p. 50, ff. against Dobrowsky mähr. Legende, p. 115, ff.), taken from the epistle of the German bishops (note 13) lose their force when we consider that Method. was Archiepiscop. regionarius.

¹¹ That letter (note 10) is the last we have with certainty concerning Methodius. The older Latin legends say nothing of his death. Later ones assume that he died in Rome, but fluctuate between the years 881 and 910. The Greek biographer of Clement states that he died in Moravia, after he had been twenty-four years archbishop, consequently in 892. Dobrowsky Cyril u. Method. S. 115, 122, ff. According to Palacky's Gesch. v. Bohmen, i. 130, he died the 9th of April, 885, and was probably buried in the church of St. Mary, at Welehrad, in Moravia.

¹² Biography of Clement, see in Dobrowsky Cyril und Method. S. 115, ff.

erect his kingdom into a separate diocese, with the pope's assistance, he was strongly opposed by the German bishops (900).¹³ Soon after, however, Moravia was divided between Bohemia and Hungary (908), and the fate of Christianity now depended on the new rulers.

From Moravia Christianity was carried into *Bohemia*, where Duke Borziwoi (871?) is said to have been baptized by Methodius.¹⁴ Yet neither the example of the holy *Ludmilla*, his spouse, nor the zeal of his grandson, saint *Wenceslaus* (928–936), but the severe measures of *Boleslaus the Pious* (967–999), were able to secure the triumphs of Christianity in Bohemia.¹⁵

The strong attachment of all these nations to their Slavonic ritual, only made the German priests, now pressing in on every side, the more eager to suppress it. In *Bohemia*, John XIII., in founding the bishopric of Prague (972), made the use of the Latin ritual a condition.¹⁶ The Slavonic was only maintained

¹³ Comp. the two letters Hattonis Archiep. Mog. ejusque suffraganeorum, and Theotmari Archiep. Juvav. et suffrag. ad Johannem IX. A.D. 900 (ap. Goldast de Regno Bohem. p. 5; Dobner, iii. 343; Mansi, xviii. 203). In the latter we read: Nequaquam credimus, quod coacti quotidie audimus, ut de illa s. et apostolica sede, quae nobis sacerdotalis mater est dignitatis, et origo christiana religionis, profluxerit quippiam perversitatis, sed doctrina et auctoritas ecclesiasticae rationis. Sed venerunt, ut ipsi promulgaverunt, de latere vestro tres Episcopi, videlicet Johannes Archiepiscopus, Benedictus et Daniel Episcopi, in terram Slavorum, qui Maravi dicuntur quae Regibus nostris et populo nostro, nobis quoque cum habitatoribus suis subacta fuerat, tam in cultu christianae religionis, quam in tributo substantiae saecularis, quia exinde primum imbuti, et ex paganis Christiani sunt facti. Nunc vero, quod grave nobis videtur et incredibile, in augmentum injuriae jactitant se magnitudine pecuniae id egisse, qualia de illa apostolica sede nunquam audivimus exisse. Est enim unus Episcopatus [Pataviensis] in quinque divisus. Intrantes enim praedicti Episcopi in nomine vestro, ut ipsi dixerunt, ordinaverunt in uno eodemque episcopatu unum Archiepiscopum et tres suffraganeos ejus Episcopos. Antecessor vester, Zventibaldo duce imperante, Wicingum consecravit Episcopum, et nequaquam in illum antiquum Pataviensem episcopatum cum transmissit, sed in quandam neophytam gentem, quam ipse dux domuit bello, et ex paganis Christianos esse patravit. Methodius and his assistants are not mentioned because they, as mere Episc. regionarii, did not endanger the rights of the German bishops.

¹⁴ So first Cosmas Pragensis (about 1100), in Chron. Bohemorum (libb. iii. best in Mencken Scriptt. rer. Germ. i. 1967. Cf. iii. 1771) lib. i. then the Bohemian legends, note 2. Defended by Dobner (Abhandl. d. böhm. Gesellsch. d. Wissensch. auf 1786, S. 365, ff.). Comp. Dobrowsky krit. Versuche, i. Borziwoy's Taufe. Prag. 1803. Same author's Cyril und Method. S. 106. Also his mähr. Legende, S. 114. F. Palacky's Gesch. v. Böhmen, Bd. i. (Prag. 1836), S. 135. In the Koeniginhofer MS., a collection of old Bohemian songs, published by W. Hanka, put into German by W. A. Swoboda. Prag. 1829. 8, several songs still belong to heathenism, and breathe hatred to Christianity. See particularly p. 73.

¹⁵ Dobner ad Hageki Annal. P. iii. et iv.

¹⁶ On the year of foundation see Giesebricht's Jahrbücher unter Otto II. S. 123. Joh. XIII. Ep. ad Boleslaum, A.D. 967 (in Cosmae Chron. lib. i. in Dobneri Annual. Hageki iv.

here and there amid constant opposition, in addition to the Latin.¹⁷

In the southern Slavonic countries, also, the Latins endeavored to abolish it;¹⁸ but yet the *ritus slavo-latinus* has been

164): Unde apostolica auctoritate et S. Petri principis Apostolorum potestate—annuimus et collaudamus atque incanonizamus, quo ad Ecclesiam SS. Viti et Wenceslai Martyrum fiat sedes episcopalis.—Verumtamen non secundum ritus aut sectas Bulgariae gentis, vel Russiae, aut Slavonicae linguae; sed, magis sequens instituta et decreta apostolica, unum potiorem totius Ecclesiae ad placitum eligas in hoc opus clericum, Latinis apprime literis eruditum, etc.

¹⁷ Comp. the narrative Cosmae Chron. lib. i. appended to the cod. Dresdae by a monk of Sasawa (in Menckenii Scriptt. rer. Germ. iii. 1782). The convent Sasawa, founded by abbot Procopius about 1035, according to the Slavonic ritual, was already evil reported of to the Duke Spitznew (aures Principis favorabiliter compositis mendaciis obfuscantes, eos multifariis vituperiis publicabant, scilicet dicentes, per Slavonicas literas haeresis secta hypocrisique esse aperte irretitos ac omnino perversos; quamobrem ejectis eis in loco corum Latinae auctoritatis Abbatem et fratres constituere omnino esse honestum), who, therefore, 1058, introduced these Latin monks. But Duke Wratislaw restored, 1063, the Slavonians, and applied to the pope for universal liberty to use the Slavonic ritual. But Gregory VII. A.D. 1080, replied (lib. vii. Ep. 11, ad Vratisl. Bohem. Reg. ap. Mansi, xx. 296): Quia vero Nobilitas tua postulavit, quo secundum Slavonicam linguam apud vos divinum celebrari annueremus officium, scias nos huic petitioni tuae nequaquam posse favere. Ex hoc nempe saepe volventibus liquet, non immerito sacram Scripturam omnipotenti Deo placuisse quibusdam locis esse occultam, ne si ad liquidum cunctis patret, forte vilesceret et subjaceret despectui, aut prave intellecta a mediocribus, in errorem induceret. Neque enim ad excusationem juvat, quod quidam religiosi viri hoc, quod sim pli certe populus quaerit, patienter tulerunt, seu incorrectum dimiserunt; cum primitiva Ecclesia multa dissimulaverit, quae a ss. Patribus, postinodum firmata christianitate, et religione crescente, subtili examinazione correcta sunt. Unde ne id fiat, quod a vestris imprudenter exposcitur, auctoritate b. Petri inhibemus, teque ad honorem omnipotentis Dei huic vanae temeritati viribus totis resistere praecipimus. The Slavonic monks in Sasawa were entirely expelled in 1097, et libri linguae eorum deleti omnino et disperdi, nequaquam ulterius in eodem loco recitabuntur. Mon. Szavadiensis, I. c. p. 1788. Still, however, the Latin-Slavonian ritual was here and there retained afterward in Bohemia (Dobner Abhandl. d. böhmischen Gesellschaft der Wiss. auf 1786, S. 443); in the convent Emaus built by Charles IV., 1347, in the suburbs of Prague, it is retained to this day.

¹⁸ In the most southern part, the province of the metropolis Diaclae, Alexander II. allowed it, probably on account of the nearness of the Greek Church. Cf. Alex. II. Epist. iv. ad Petrum Dalnatiac et Slavon. Archiepisc. A.D. 1062 (ap. Mansi, xix. 943): Monasteria quoque tam Latinorum, quam Graecorum sive Slavorum cures: ut scias et haec omnia unam Ecclesiam esse. On the other hand, in the more western ecclesiastical province of Salona, it was to be extirpated. Cf. Thomae Archidiaec. Spalatens. († 1268) Hist. Salonianorum Episc. atque Spalatensis, cap. 16 (ap. Lucius de Regno Dalmat. p. 310, ss., and Schwandtneri Scriptt. rer. Hung. iii. 552). Under Alexander II. the papal legate, Maynard, called a synod at Salona, where, among other things, it was decreed: "Ut nullus de caetero in lingua Slavonica praesumeret divina mysteria celebrare, nisi tantum in Latina et Graeca, nec aliquis ejusdem linguae promoveretur ad sacros ordines." Dicabant enim, Gothicas literas a quodam Methodio haeretico fuisse repertas, qui multa contra catholicae fidei normam in eadem Slavonica lingua mentiendo conscripsit: quamobrem divino iudicio repentina dicitur morte fuisse damnatus. (The Slavonians were at that time often called Goths. Comp. Dobner in the Abhandl. d. böhm. Gesellsch. d. Wissenschaft. auf 1785, S. 109, and hence those enlightened fathers confound Methodius with Ulphilas!) Since now omnes sacerdotes Slavorum magno sunt moerore confecti, omnes quippe eorum ecclesiae clausae fuerunt: the Slavonians apply to Pope Alexander II. But their embas

continued in Illyria in many churches (the ritual books in the Glagolitic writing) down to the latest times.¹⁹

§ 39.

CONVERSION OF THE WENDS.

SOURCES: Widukindi (about 970) Corbej. Res gestae Saxonicae, libb. iii. (ap. Pertz. v. 408). Thietmarus (see preface to section 2). Adamus Bremensis (see preface to § 37) Helmoldi (preacher at Bosow, † 1170) Chronicon Slavorum, ed. H. Bangert. Lübeck. 1659. 4; and in Leibnitz. Script. Brunsv. ii. 537.—L. Giesebrécht's wendische Geschichten aus den Jahren, 780 bis 1182. 3 Bde. Berlin. 1843. 8.

It was not to be expected that Christianity should meet with a friendly reception among the Wends, forced upon them as it was by German power, and in a foreign language. After *Henry I.* had conquered them, and erected the margravates *Meissen*, *North Saxony* (*Altmark*), and *East Saxony* (*Lausitz*), about 931, *Otto I.* busied himself in the conversion of these people. The most enduring fruits of his efforts were among the *Sorbi* (in *Meissen* and *Lausitz*), where he founded the bishoprics *Meissen*, *Merseburg*, *Zeitz* (1029 transferred to *Naumburg*), and the archbishopric of *Magdeburg*, about 968.¹

Otto had still earlier established among the *Wilzi* or *Lutis-*

sadors receive the following reply: Scitote, filii, quia haec, quae petere Gothi student, saepenumero audisse me recolo, sed propter Arianos, inventores literaturae hujusmodi, dare eis licentiam in sua lingua tractare divina, sicut praedecessores mei, sic et ego nulla tenus audeo, etc.

¹⁹ Approved by Innocent IV. in 1248. See Dobner in the Abhandl. d. böhm. Gesellsch. d. Wissensch. auf 1785, S. 174, s. Kopitar Glagolita Clozianus, p. xiii. xvii.

¹ Dönniges in Ranke's Jahrbüchern des deutschen Reichs, i. iii. 137, 222. Giesebrécht, i. 192. The oldest history of these bishoprics relates much of endowments, but little of conversions. The religious state of the country may be illustrated by an anecdote of Boso, first bishop of Merseburg, one of the most zealous of their bishops (Thietmar, ii. 23, ap. Pertz, v. 755): Hic ut sibi commissos eo facilius instrueret, Slavonica scriperat verba, et eos Kirieleison cantare rogavit (see above, § 10, note 37), expponens eis hujus utilitatem. Qui recordes hoc in malum irrisorie mutabant Ukrivolsa, quod nostra lingua dicitur: Aeleri stat in frutecto (the alder stands in the thicket); dicentes: sic locutus est Boso. Comp. Chron. Episc. Merseburg (in J. P. a Ludewig reliquiae MSS. omnis aevi diplomaticum, t. iv. p. 379) of Bishop Werner, from 1073–1101: Quem tantus divini verbi seminandi fervor accenderat, ut studio praedicationis episcopalia plerumque negotia postponebat, et lucrandis animabus omni virtute quasi providus pastor intenderet. Verum quia Schlavonicae linguae admodum ignarus erat, et eum cura pastoralis Schlavorum genti, quorum multitudinem copiosam error adhuc idolatriæ detinebat, verbum salutis credere cogebat; libros Schlavonicae linguae sibi fieri jussit, ut Latinae linguae charactere idiomata linguae Schlavorum exprimeret, et quod non intelligeret, verbis stridentibus intelligendum aliis infunderet.

zians (between the Elbe and Oder), the bishoprics of *Havelberg* (946), and *Brandenburg* (949);² and among the *Obotrites* (in Mecklenburg) the bishopric of *Oldenburg* (952, not far from Lubeck, 1163 transferred to Lubeck);³ but here the conversions did not reach farther than the Saxon garrisons extended their influence. The general insurrection of the Wends, under the prince of the Obotrites, *Mistui* or *Mistewoi* (983), was aimed alike at the German rulers and at Christianity.⁴ Mistewoi's grandson, *Gottschalk*, founder of the great Wendian empire (1047), fell a victim to his efforts in favor of Christianity (1066);⁵ and then all traces of it were effaced with wild rage for a long period.⁶

§ 40.

CONVERSION OF THE POLES AND HUNGARIANS.

In Poland, Christianity was propagated from the time of Duke *Mjesko* or *Miecislaw*, who had adopted it at the instance of his Bohemian spouse *Dambrowka* (966).¹ Among the *Prus-*

² Chr. W. Spieker's Kirchen- u. Reformationsgesch. der Mark Brandenburg, Th. 1 (Berlin. 1839), S. 17. Köpke in Ranke's Jahrb. d. deutschen Reichs, i. ii. 64, 77. Giesebricht, i. 175, 176.

³ Jul. Wiggers Kirchengesch. Mecklenburgs, Parchim und Ludwigslust, 1840, S. 18.

⁴ Helmold, i. c. 14, ss. Kanngiesser's Gesch. v. Pommern, i. 128. Giesebricht, i. 257. Wiggers, S. 19.

⁵ On Gottschalk's zeal, Helmold, i. c. 20: *Sane magnae devotionis vir dicitur tanto religione divinae exarsisse studio, ut sermonem exhortationis ad populum frequenter in Ecclesia ipse fecerit, ea scilicet, quae ab Episcopis vel Presbyteris mystice dicebantur, cupiens Slavicis verbis reddere planiora.* Kanngiesser, i. 233, ff. Giesebricht, ii. 85. Wiggers, S. 22.

⁶ Adam. Brem. iv. c. 11.—Helmold. i. c. 25: *Slavi servitutis jugum armata manu submoverunt, tantaque animi obstinatio libertatem defendere nisi sunt, ut prius maluerint mori, quam christianitatis titulum resumere, aut tributa solvere Saxonum Principibus. Hanc sane contumeliam sibimet parturivit infelix Saxonum avaritia, qui—Slavorum gentes, quas bellis aut pactionibus subegerant, tantis vectigalium pensionibus gravaverunt, ut divinis legibus et Principum servituti refragari amara necessitate cogerentur (cap. 21: Saxones—semper prouiores sunt tributis augmentandis, quam animabus Domino conquirendis. Decor enim christianitatis, sacerdotum instantia, jamdudum in Slavia convaluisse, si Saxonum avaritia non praepedisset).*

¹ Comp. Thietmar, iv. 35, ap. Pertz, v. 783, and the first Polish historian, Martini Galli (about 1130), Chron. (ed. J. V. Bandtkie. Varsav. 1824. 8), lib. i. c. 5. But though Martinus Gallus, l. c. c. 11, and Vincentius Kadlubko (about 1200 bishop of Cracow, Res gestae Principum et Regum Poloniae per Vinc. Kadl. Varsav. 1824. 8. P. i. p. 92) makes the two archbishoprics, Gresen and Cracow, with seven bishoprics, to be founded by Boleslaw, son of Mjesko; and John Dlugossius (bishop of Lemberg, † 1480. Hist. Poloniae libb. xiii. ed. H. de Huysse. Lips. 1711, fol. lib. ii. p. 91), even by Mjesko himself; it is more probable, according to Ditmar, that Posen had been the only Polish bishopric for a

sians, on the contrary, nothing but martyrdom had yet been obtained.²

Among the *Hungarians*, the first and more important advances of Christianity began under their Duke *Geisa* (972–997).³ *Stephen*, the first king (997–1038), rendered it victorious.⁴

long time. Comp. Chr. G. v. Friese, Kirchengesch. des Königreichs Polen (2 Th. Breslau. 1786. 8), Th. 1. Röpell's Geschicht. Polens. Th. 1. Hamburg. 1840. Giesebrécht's wend. Gesch. i. 196, 202. Epistola inedita Mathildis data 1027 ad Misegonem II. s. vindiciae iv. primorum Poloniae latino-christinae Regum, auct. Ph. A. Dethier. Berol. 1842. 8. Judicial laws for Christianity, Thietmar, viii. 2: Quicunque post septuagesimam carnem manducasse invenitur, abscis dentibus graviter punitur. Lex namque divina in his regionibus noviter exorta, potestate tali melius quam jejunio ab Episcopis instituto corroboratur. As the conversion of the Poles was achieved chiefly by Bohemian and Moravian priests, many peculiarities of the Greek-Slavonian ritual have also come to the Poles, and have long continued there. Friese, i. 61. Krasinski's Gesch. d. Reform. in Polen, übers. v. Lindau (Leipz. 1841), S. 5. Still, however, Poland connected itself immediately with Rome. As early as Miecislav's son, Boleslav, we find him complaining, about 1012, to the pope (Thietmar, vi. 56), ut non licet sibi propter latentes Regis (Henry II.) insidias promissum principi Apostolorum Petro persolvere censem.

² Adalbert, bishop of Prague, murdered, 997, cf. vita Adalberti in Canis. Lectt. ant. ed. Basn. iii. i. 41, ap. Pertz, vi. 574. Voigt's Gesch. Preussens, i. 244, 650. Palacky's Gesch. von Böhmen, i. 233. Bruno, slain 1009, see Thietmar, vi. 58. Voigt, i. 281. Giesebrécht, ii. 19, 24.

³ The baptism of the Hungarian princes, Bulosudes and Gylas (Vérbules and Gyula) in Constantinople, A.D. 948 (Cedrenus, p. 636. Zonaras, lib. xvi. tom. p. 194) was indecisive. See Geschichte der Magyaren von Joh. Grafen Mailáth. Bd. 1 (Wien. 1828), S. 23, 32. The spread of Christianity in Hungary under Geisa proceeded from Germany, favored by the emperor Otto, promoted by Piligrin, bishop of Passau (see information to Benedict VII. A.D. 974, ap. Mansi, xix. 49. Since he considered himself as the successor of the old bishops of Lorch he asks here, that his metropolitan rights over Hungary might be restored), subsequently also by Adelbert, bishop of Prague, Mailáth, p. 31. Theitmar, viii. 3, ap. Pertz, v. 862, respecting the Christianity of Geisa, whom he calls Deuuix: Hic Deo omnipotenti variisque Deorum illusionibus immolans, cum ab antistite suo ob hoc accusaretur, divitem se et ad haec facienda satis potentem affirmavit. Comp. generally Gfrörer, iii. iii. 1373. Neander, iv. 83.

⁴ The political character of this conversion shown in Schlosser's Weltgesch. ii. ii. 557. Thietmar, iv. 38, ap. Pertz, v. 784: Imperatoris autem (Ottonis III.) gratia et hortatu gener Heinrici, ducis Bawariorum, Waic (i. e., Stephen) in regno suimet episcopales cathedralas faciens, coronam et benedictionem accepit. Bishop Chartvitius (about 1100) relates in his vita S. Stephani (in the Act. SS. ad d. 2. Sept., and in Schwandtneri Script. rer. Hung. i. 417), that Stephen had sent Abbot Astricus to Rome A.D. 1001, to confirm the bishoprics already founded, and to obtain for the duke a regal crown. Just at that time a crown, it is said, was ready for the duke of the Poles, at Rome, but the pope had received instruction by an angel to bestow it on the ambassador of an unknown people that appeared the next day. Thus, therefore, the pope granted the wishes of the Hungarians, crucemque ante Regem, ceu apostolatus insigne, gestandum adjunxit, ego, inquiens, sum Apostolicus; at ille merito Christi Apostolus dici potest, cuius opera tantum populum sibi Christus acquisivit. Atque ea causa, quemadmodum divina gratia ipsum docebit, Ecclesiæ Dei, una cum populis, nostra vice ei ordinandas relinquimus. Accordingly, Stephen also says in the trust-deed of a convent, A.D. 1036 in G. Fejér Cod. diplom. Hungariae, i. 328): Sicut habui potestatem, ut ubique, vel in quounque loco vellem, Ecclesiæ aut Monasteria construerem; ita nihilominus a Romanae sedis supremo Pontifice habui auctoritatem, ut quibus vellem Ecclesiæ, seu Monasteriis libertates et dignitates conferrem.

'These violent conversions, however, still left in the people a very great inclination to Paganism.⁵

SECOND PART.

HISTORY OF THE GREEK CHURCH.

FIRST CHAPTER.

RELATION OF THE GREEK CHURCH TO THE LATIN.

Partial, but useful, as collections are : Leo Allatius de Eccl. occid. et orient. perp. consensione. Colon. Agripp. 1648. 4. lib. ii. c. iv. ss. L. Maimbourg Hist. du schisme des Grecs. Paris 1677. 4, and often reprinted.—Besides J. Gf. Hermann Hist. concertationum de pane azymo et fermentato in coena Domini. Lips. 1737. 8. J. G. Walchii Hist. controversiac Graecorum Latinorumque de processione Spiritus Sancti. Jenae. 1751. 8. p. 32, ss.

§ 41.

CONTROVERSIES OF PHOTIUS WITH THE POPES.

SOURCES. Besides the acts cited in the notes below, the following works by contemporaries. *By Greeks*: Vita S. Ignatii by Nicetas David Paphlago (in the acts of the conc. viii. oecum. ap. Mansi, xvi. 209), Metrophanis Ep. Smyrn. Epist. ad Manuelem Patric. A.D. 870 (Latin translation by Baronius ann. 870 no. 45, ss.), Styliani Mapae Ep. Neocaesar. Epist. i. ad Stephanum P. V. A.D. 886 (ap. Mansi, xvi. 425, ss., in an old Latin version, xviii. 14). *By Latins*: Anastasii Bibl. praef. ad conc. viii. oec. (Mansi, xvi. 1, ss.); ejusd. vit. cvii. Nicolai I. et cviii. Hadriani II., all unfair to Photius. *Later historians*: Theophanes continuatus (written at the instance of Constantine Porphyrogen. about 940) lib. iv. de Michaelie c. 30, ss. lib. v. de Basilio Mag. and Symeonis Magistri et Logothetae (about 967) Annal. c. 28 ss. (Theophanes cont. Joannes Cameniata, Symeon Mag. Georgius Mon. ex recogn. I. Bekkeri. Bonnae. 1838. 8.—Cf. Mart. Hankii de Byzantinarium rerum scriptoribus liber. Lips. 1677. 4. p. 269, ss. Neander, iv. 409. Größer, iii. i. 233.

The old jealousy between the hierarchs of *old and new Rome* broke forth afresh, when *Ignatius*, patriarch of Constantinople,

These rights over the church were always held fast by the Hungarian kings. See A. F. Kollár de Originibus et usu perpetuo potestatis legislatoriaie circa sacra apostolicorum Regum Hungariae. Vindob. 1764. 8. c. 24. The bull issued at that time, as is pretended, by Sylvester II. (ap. Fejér, i. 274) agrees for the most part word for word with Chartvitus, but adds besides, that Hungary was given over by Stephen to St. Peter, and again received as fief. It is said to have been discovered again in 1550, but was first brought to light in the Annal. ecclesiast. regni Hungar. Romae. 1644, of the Jesuit Inchofer, to whom it was given by the Franciscan Raphael Levakovicz in Rome. From the latter's own letters it has been proved that he forged this bull, Kollár, p. 157. Its authenticity, however, is defended by Größer, iii. iii. 1534.

⁵ Reaction of paganism in the disturbances that followed Stephen's death. Schrökhh, Th. 21, S. 550. Schlosser, Bd. 2, Th. 2, S. 578, ff. 665 ff.

was deposed at the instigation of Caesar *Bardas* by the Emperor *Michael III.*, and *Photius* appointed in his place (858). When an ecclesiastical schism took place on this account in Constantinople, and Pope *Nicolaus* was invited to adjust it,¹ instead of acting as mediator he immediately assumed the character of supreme judge.² The legates whom he sent to Con-

¹ The letter of the Emperor Michael is lost. *Nicolaus* relates (Ep. i. ad univ. Cathol. ap. Mansi, xv. 160) : Imp. Michael—ad apostolatum nostrum legatis cum epistolis destinatis, accusations quasdam aduersus Ignatium deferentibus, petiti, ut a sede apostolica missos daremus, qui scandala illa sedarent et schismata dissiparent. In the same words Ep. ix. ad Michael. Imp. p. 218, and Ep. x. ad cler. Constant. p. 241.—*Photius's* writing (ap. Baron. Ann. 859 no. 61, ss.) is a usual Enthronistica.

² Nic. Ep. ii. ad Michael. Imp. and Ep. iii. ad Photium. In the first, reproaches that Ignatius was deposed, without the knowledge of the pope, for, a patribus et deliberatum ac observatum existit, qualiter absque Romanae sedis, Romanique Pontificis consensu, nullius insurgentis deliberationis terminus daretur. Then, that Photius a layman, should have been made bishop. So also ad Photium, p. 168 : Sed rectum vos ordinem minime continuisse dolemus, eo quod non per gradus Ecclesiae ductus ad tantum honorem de laici habitu vos prosiliuistis.—Nam Sardicense concilium per omnia tantae temeritatis praesumptionem vetuit, pariter et ss. Pontificium Romanae sedis, Caelestini—Leonis—seu Gelasii doctrina.—Quapropter vestrae consecrationi consentire modo non possumus, donec nostri, qui a nobis Constantinopolim sunt directi, revertantur, qualiter per eos cognoscamus vestrae observationis actus, et ecclesiasticae utilitatis constantiam, etc. *Photius's* reply (ap. Baron. Ann. 861, no. 34, ss.) :—At canones, inquiunt, violati sunt, quod ad pontificatus fastigium e laicorum ordine adscendisti.—Quales autem canones hi, quorum asseritur prævaricatio? quos ad hunc diem Constantinopolitanorum Ecclesia non accepit.—Multi canones aliis traditi sunt, aliis ne noti quidem sunt. Qui accipit et violat, dignus, qui in judicium inducatur: qui vero non novit, nec recipit, quomodo obnoxius est?—Legitimis nuptiis Presbyter Romae uxori conjunctus non invenitur: nos vero eos, qui unico conjugio vitae suae moderati sunt, edocti sumus in Presbyteri gradum efferre, eosque, qui hoc in discrimine ponunt, ac se secernunt, ne ab his Domini corporis participationem capiant, undique excludimus, codem loco ducentes eos, qui legem aut fornicationis saucient aut nuptiarum tollunt.—Quaedam vero ne ab iis quidem, qui delinquent (quod quidem sciām), quod fiunt, laudantur ob sunnām fortasse absurditatem.—Quis enim sabbatissare, qui in Christianis censeatur, etiam si millies his succumbat, non ejuret? Quis se conjugium execrari legitimū, nisi quis impiorum ac sine Deo hominum sententiam opifici proponat?—Quis autem dominicorum, et paternorum, et synodalium decretorum (ne sigillatim dicam) non reveratur confiteri, se moliri contemtum?—testes apud nos et regulis nostris ad tres numeramus, qui si caeteroqui vitio careant, satis sunt ad fidem veritati faciendam quamvis in Episcopi crimen adsciscantur: apud alios vero nisi testium numerus superet septuaginta quasi populū, qui accusatur, quantumvis in re ipsa fuerit reprehensus, omni crimen liber absolvitur. As there is a reference in this passage to a Roman regulation developed in the ninth century, and adopted also by Pseudo-Isidore (see § 20, note 5), so we must not overlook generally the bitter irony of this letter against Roman ecclesiastical customs, in order that a right view of Nicolaus' conduct and Photius' Encyclica may be obtained. Hear, however, the conclusion: Canonum custodia a quovis bono debetur: magis vero ab iis, qui divinae providentiae dignatione alias regunt: omnium sane maxime, quibus in horum numero primatus obtigit.—Quare vestra debet amabilis beatitudo, ecclesiasticam disciplinam ac modestiam in omnibus curae habens, et canonican tenens rectitudinem, eos qui sine commendatiis literis ad Romanam Ecclesiam hinc profisciscuntur (followers of Ignatius, namely), non temere ac fortuito recipere, nec sinere hospitalitatis specie odii fraterni jaci semina, etc.

stantinople were indeed won over to declare for Photius (861);³ but he annulled what was there transacted at *a synod in Rome* (863), and decided in favor of Ignatius.⁴ Michael's threatening replies⁵ could not of course terrify the pope, who had long been independent of Byzantine power.⁶

³ Concerning the syn. Const. A.D. 861, see Nicol. Ep. ix. ad Michael. Imp. (Mansi, xv. 219), Ep. x. ad clerum Const. (ib. p. 241), Nicetas David (Mansi, xvi. 237), where the παριστάνοντιν ἐζδομήκοντα καὶ δίο φενδομάρτυρας (comp. Photius, note 2) is worthy of notice.

⁴ Acta syn. Rom. ann. 863, in Nicol. Epist. vii. ad Michael.

⁵ Michael's letter is lost, but its contents may be gathered from Nicolaus' answer. Nic. Ep. viii. (Mansi, xv. 189) : Dixistis, quod nullus antecessorum nostrorum a sexta synodo meruerit a vobis, quod nos meruisse dignoscimur :—quasi nostrum fuerit opprobrium, eo quod sedem apostolicam in nullo quaerere antecessores vestri dignati fuerint, cum magis eorum fuerit dedecus. P. 192 : Dicatis, non ideo ad nos misisse vos, ut secundum judicium Ignatius sustineret. P. 206 : Noluisse vos, ut a missis nostris Ignatius judicaretur, eo quod fuerit jam judicatus et condemnatus. P. 203 : Non eguisse vos in causa pietatis Romanae Ecclesiae. P. 204 : Si vestra fuerunt verba, quae in despectum b. Petri Apostolorum principis immo Dei, cuius ordinationi resistitis, scripta, et quasi detrahentia privilegiis hujus sacratissimae Ecclesiae missa sunt, etc.—Ep. ix. p. 235 : Epistola sub nomine vestro conscripta—tantis erat verbis contumeliosis, immo blasphemis, respersa, ut scriptor ejus non nisi in gutture colubri calanum tinxisse putetur, et dictatoris labia pro dictiouibus venena fudisse videantur.

⁶ Nicol. Ep. vii. et ix. ad Michael. Ep. x. ad clerum Constant. Ep. xi. ad Photium. Ep. xii. ad Bardam Caes. Ep. xiii. ad Ignatium. Ep. xiv. ad Theodoram Augustam. Ep. xv. ad Eudoxiam Aug. Ep. xvi. ad senatores Constant. All containing proofs of the privilegia Eccl. Rom. (but without mention of the Pseudo-Isidoriana, which yet he was at the same time defending against the Frank bishops. See § 20, not 15). For instance, that the judgment against Ignatius was null, because no one (Epist. viii. p. 200), qui minoris auctoritatis est, eum, qui majoris potestatis est, iudiciis suis addicere potest. Hence aut nunquam omnino aut certe vix Constantiopolitanorum praesulum aliquis sine consensu Romani Pontificis reperitur ejactus. Remarkable that he even cites in his own favor the long rejected (at Rome) can. Chalced. ix. (Vol. I. Div. II. § 93, note 15), (Ep. viii. p. 201) : Nunc Chalcedonensis concilii sanctiones ad memoriam reducamus, quae ita decernunt : “Si clericus habet causam adversus Episcopum proprium, vel adversus alterum, apud synodus provinciae judicetur : quod si adversus ejusdem provinciae metropolitanum Episcopus vel clericus habet querelam, petat primatem dioecesos, aut sedem regiae urbis Constantinopolitanae.” Cum dixisset : “petat primatem dioecesos,” praeceptum posuit eadem s. synodus, regulamque constituit. Cum vero disjunctiva conjunctione addidisset : “aut sedem regiae urbis Constant.” liquet profecto, quia hoc secundum permissionem indulxit. Quem autem primatem dioecesos s. synodus dixerit, praeter Apostoli primi vicarium, nullus penitus intelligitur. Ipse est enim primas, qui et primus habetur et summus. Ne vero moveat, quia singulari numero dioecesos dictum est, quia tantumdem valet dixisse primatem dioecesos, quantum si perhibuisset dioeceseon, etc. (!!) Ep. ix. p. 236 (of 866) he threatens : Scitote, quoniam, postquam in hac vos pertinacia persistere fine tenus velle compererimus, primum quidem congregatis cunctarum occidentalium regionum ven. sacerdotibus dictatores et dispositores atque praeceptores tantae fallaciea, etc.—diris anathematis vinculis innodabimus. Deinde vero—ipsam epistolam in stipite videntibus cunctis suspensam vasto supposito foco ad vituperium vestrum coram omnibus nationibus, quae penes memoriam S. Petri multiplices inveniuntur, extremae perditioni donabimus etc. Concerning these controversies, see Nicolaus' own account in Ep. lxx. ad Hincmarum et caeteros Episc. in regno Caroli constitutos A.D. 867, where he also mentions the view of the Greeks (Mansi, xv. 358) : Gloriantur atque perhibent, quando de Romana urbe Imperatores Constantinopolim sunt translati, tunc et primatum Romanae sedis ad Constantinopolitanam Ecclesiam transmigrasse,

These controversies were followed by a new one concerning church territories,⁷ which imbibed men's spirits to a much greater degree. The Byzantines had succeeded, after many vain attempts, in persuading *Bogoris*, king of the Bulgarians (about 861), to be baptized.⁸ But immediately after, in order not to lose his independence by the influence of the too neighboring Greeks, he sought to attach himself to the western Church, and received forthwith from Rome (866) Latin teachers.⁹ Enraged at this, *Photius* summoned a *synod at Constantinople* (867), by an *Encyclica*,¹⁰ violent, and in the highest

et cum dignitatibus regiis etiam Ecclesiae Romanae privilegia translata fuisse. Quite analogous to the principles of the older Greek Church. See Vol. I. Div. II. § 93, notes 3, and 14.

⁷ Even at the very beginning Nicolaus had referred to the subject, Ep. ii. ad Mich. Imper. (Mansi, xv. 167): Oportet vestrum imperiale decus,—ut antiquum morem, quem nostra Ecclesia habuit, vestris temporibus restaurare dignemini, quatenus vicem, quam nostra sedes per Episcopos vestris in partibus constitutos habuit, videlicet Thessalonensem, qui Romanae sedis vicem habuit per Epirum veterem, Epirumque novam, atque Illyricum, Macedoniam, Thessalam, Achaiam, Daciam ripensem, Daciamque mediterraneam, Moesiam, Dardaniam, Praevalim, b. Petro Apostolorum principi contradicere nullus praesumat. Praeterea Calabritanum patrimonium et Siculum—vestris concessionibus reddantur. Inter ista et superius dicta volumus, ut consecratio Syracusano Archiepiscopo nostra a sede impendatur (comp. above, § 5, note 3).

⁸ On the preliminary steps by the sister of Bogoris, and the picture of Methodius, see Theophanes continuatus, iv. c. 13–15. The actual conversion is placed by a contemporary, Nicetas David (ap. Mansi, xvi. 245), in the time when Nicolaus' legates returned to Rome: Βούλγαροι δὲ τότε προνοίᾳ Θεοῦ, βιαῖω κατατάκεντες λιμῷ, ἡμά δὲ καὶ τοῖς δώροις τοῦ Αὐτοκράτορος θεληθέντες τὰ ὅπλα καταθέμενοι τῷ ἀγίῳ προσῆσαν βαπτίσματι. On the contrary, it is said by Symeon Mag. c. 25 (followed by Leo Gramm. A.D. 1013, ed. Paris. p. 462), Michael undertook an expedition with Bardas against the Bulgarians, in the fourth year of his reign. Τοῦτο μαθόντες οἱ Βούλγαροι, ἡμά δὲ καὶ λιμῷ τηκόμενοι—Χριστιανοὶ γενέσθαι τῷ Βασιλεῖ Ῥωμαίων ἥτησαν. ὁ δὲ Βασιλεὺς τούτους ἐν τῇ πόλει ἄγαγὼν, ἐβάπτισε πάντας, καὶ τὸν Ἀρχοντα ἀντὸν Μιχαὴλ ἐπωνόμασεν. So too Photius in his Epist. ad Michaelen Bulgarorum Regem (in Photii Epist. ed. Rich. Montacutius. Londini. 1651. fol.; Epist. i. also in H. Canisi Lection. ant. ed. Basnage, ii. ii. 379) calls the king καλὸν ἄγαλμα πᾶν ἐμῶν πόνων (ap. Basn. p. 384), and τὸν ἐμῶν πνευματικῶν ὕδινων εὐγενεῖς καὶ γνήσιον γέννημα (p. 418). Comp. Schlosser's Weltgesch. ii. i. 519.

⁹ Anastasius in vita cvii. Nicolai I. and in praef. ad conc. oecum. viii. (Mansi, xvi. 10), Annales Bertiniani and Fuldenses ad ann. 866. At the same time Bogoris sent by his ambassadors a series of questions on ecclesiastical subjects, to be laid before the pope, which called forth the *Responsa Nicolai P. I. ad consulta Bulgarorum* (ap. Mansi, xv. 401).

¹⁰ *Encyclica ad Patriarch. orientales* (Latin ap. Baronius, ann. 863, no. 34, ss., more fully in Greek in edit. Montacutii Ep. ii. p. 47, ss.) respecting the Latin teachers that had come among the Bulgarians: Οὐπώ γὰρ ἐκείνους τοῦ ἔθνους, οὐδὲ εἰς δύο ἐνιαυτοὺς, τὴν ὄρθην τῶν Χριστιανῶν τιμῶντος θρησκείαν, ἀνδρες δυσσεζεῖς καὶ ἀποτρόπαιοι,—ἀνδρες ἐκ σκότους ἀναδύντες (τῆς γὰρ ἐσπερίου μοίρας ἵπηρχον γεννήματα), οἵνοι πᾶς τὸ ὑπόλοιπον ἐκδιηγήσομαι; οὗτοι, πρὸς τὸ νεοπαγῆς εἰς εὐσέβειαν καὶ νεοσύστατον ἔθνος, ὃσπερ κεραννός, ἡ σεισμός, ἡ χαλάζης πλῆθος, μᾶλλον δὲ οἰκειέτερον εἰπεῖν, ὃσπερ ἄγριος μονιός (according to the LXX. Ps. lxxxv. 13), ἐμπτησάντες, τὸν ἀμπελῶνα Κυρίου, τὸν ἡγαπημένον καὶ νεφόντον καὶ ποσὶν καὶ ὀδούσιν, ἦτοι τρίβοις αἰσχρᾶς πολιτείας, καὶ διαφθορᾶς δογμάτων—κατανεμησάμενοι ἐλνυμέναντο· ἡπὸ γὰρ τῶν ὄρθων καὶ καθαρῶν

degree offensive to the Romish Church, and there pronounced sentence of condemnation on the pope.¹¹ The Encyclica was answered in the west with the same bitterness;¹² and from that

δογμάτων, καὶ τῆς τῶν Χριστιανῶν ἀμωμήτων πίστεως παραφθείρειν τούτους, καὶ ὑποστῆν κατεπανοργήσαντο. Καὶ πρώτον μὲν αὐτὸν ἐκθέσμως εἰς τὴν τῶν Σαββάτων νηστείαν μετέστησαν (see Vol. I. Div. II. § 100, note 4). Οἰδε δὲ καὶ ἡ μικρὰ τῶν παραδοθέντων ἀθέτησις καὶ πρὸς ὅλην τοῦ δόγματος ἐπιτρέψαι καταφρόνησιν. Ἐπειτα δὲ τὴν τῶν νηστειῶν πρώτην ἔβδομάδα τῆς ἀλληλης νηστείας περικόφαντες, εἰς γαλακτοποσίας καὶ τυροῦ τροφὴν, καὶ τὴν τῶν ὄμοιών ἀδόηφαγίαν καθείλκυσαν (see Vol. I. Div. II. § 100, note 14). Ἐντεῖθεν ἀντοῖς την ὁδὸν τῶν παραβάσεων ἐμπλατύνοντες, καὶ τῆς εὐθείας τριζούν καὶ βασιλικῆς διαστρέφοντες, καὶ δὲ καὶ τοὺς ἐνθέσμῳ γάμῳ Πρεσβυτέρους διαπρέποντας οἱ πολλὰς κόρας χωρὶς ὑπὸρδος γυναικας δεικνύοντες, καὶ γυναικας παΐδας ἐκτρέφοντας, ὃν οὐκ ἔστι πατέρα θεύσασθη, οὐτοὶ τοὺς ὡς ἀληθῶς Θεοῦ λερεῖς μοσάτεσθαι τε καὶ ἀποστρέφεσθαι παρεσκεύασαν, τῆς Μανοῦ γεωργίας ἐν αὐτοῖς τὰ σπέρματα κατασπείροντες, καὶ ψυχὰς ἄρτι βλαστάνειν ἀρξαμένας τὸν σπόρον τῆς εὐθείας τῇ τῶν ζιζανίων ἐπισπορῷ λυμανόμενοι. Ἀλλά γε δὴ καὶ τοὺς ὑπὸ Πρεσβυτέρων μύρῳ χρισθέντας ἀναμυρίζεν αὐτοὶ οὐ πεφρίκασιν, Ἐπισκόπους ἕαυτοὺς ἀναγορεύοντες, καὶ τὸ τῶν Πρεσβυτέρων χρίσμα ἀχρηστὸν εἶναι, καὶ εἰς μάτρην ἐπιτελεῖσθαι τερατεύομενοι—”Αλλὰ γάρ οὐχὶ μόνον εἰς ταῦτα παρανομεῖν ἐξηνέχθησαν, ἀλλὰ καὶ, εἴ τις κακῶν ἔστι κορωνὶς, εἰς ταῦτην ἀνέδραμον. Πρὸς γάρ τοι τοῖς εἰρημένοις ἀτοπῆμασι καὶ τὸ λεπὸν καὶ ὄγην σύμβολον, ὃ πᾶσι τοῖς συνοδικοῖς καὶ οἰκουμενικοῖς φησίσμασιν ἀμαχον ἔχει τὴν ἴσχὺν, νόθους λογισμοῖς, καὶ παρεγγράπτοις λόγοις, καὶ θράσους ὑπερβολῆς κιβδηλεύειν ἐπεχειρησαν· ὡς τῶν τοῦ πονηροῦ μηχανημάτων, τὸ Πνεῦμα τὸ ἄγον οὐκ ἐκ τοῦ Πατρὸς μόνον, ἀλλὰ γε καὶ ἐκ τοῦ Τίον ἐκπορεύεσθαι καινολογήσαντες!—Καὶ γάρ δὴ καὶ ἀπὸ τῶν τῆς Ἰταλίας μερῶν συνοδικὴ τὶς ἐπιστολὴ πρὸς ἡμᾶς ἀναπεφοίτηκεν, ἀφῆτων ἐγκλημάτων γέμουσα, ὑτίνα κατὰ τοῦ οἰκείουν αὐτῶν Ἐπισκόπουν οἱ τὴν Ἰταλίαν οἰκοῦντες μετὰ πολλῆς κατακρίσεως καὶ ὄρκων μηρίων διεπέμψαντο, μὴ παριδεῖν αὐτοὺς οὕτως οἰκτρῶς δῆλημένους, καὶ ὑπὸ τηλικαύτης Βαρείας πιεζομένους τυραννίδος, καὶ τὸν λεπατικὸν νόμους ὑδριζομένους, καὶ πάντας θεσμοὺς Ἐκκλησίας ἀνατρεπομένους. Αὶ καὶ πάλαι μὲν διὰ μοναχῶν καὶ πρεσβυτέρων ἐκεῖθεν ἀναδραμόντων εἰς πάντων ἀκοῦς διεφέροντο. Βασιλεῖος δ' ἄρα ἦν, καὶ Ζωσιμᾶς, Μητροφάνης τε, καὶ σὺν αὐτοῖς ἔτεροι, οἱ τὴν τοιαύτην τυραννίδα ἀπωδύροντο, καὶ πρὸς ἑκδίκηστην τῶν Ἐκκλησιῶν ἔξεκαλοῦντο δακρύνοντες. Νῦν δὲ—καὶ γράμματα διάφορα καὶ ἐν διαφόρων ἐκεῖθεν ἀναπεφοίτηκεν,—ὦν τὰ ἵσα κατὰ τὴν ἐκείνων ἀξίωσίν τε καὶ ἔξαίτησιν (καὶ γάρ εἰς πάντας τοὺς ἀρχιερατικὸς καὶ ἀποστολικὸν θρόνονς διαδοθῆναι ταῦτα μετὰ φρικτῶν ὄρκων καὶ παρακλήσεων ἐδυσώπησαν) ὡς αὐτὰ ἐκεῖνα παραστῆσει ἀναγινωσκόμενα.

¹¹ Comp. Metrophanis Epist. ad Manuelem, and Anastasii praef. ad conc. oecum. viii.

¹² The emperors Michael and Basil issued a letter to the king of the Bulgarians, of like contents as the Encyclica. Bogoris communicated this to the pope, and Nicolaus gives, Epist. lxx. ad Hinemar. et caeteros Episc. in regno Caroli constitutos, A.D. 867 (ap. Mansi, xv. 355), from it an extract, and admonishes the Frank bishops, who were always held to be the most learned, to defend the Roman Church. In his list of Greek objections still appear the following: Mentiuntur quoque, nos, sicuti per alia ipsorum conscripta indicatur, agnum in Pascha, more Judaeorum, super altare pariter cum dominico corpore benedicere et offerre. (That this was substantially true, see Walafridi Strab. Lib. de rebus eccl. c. 18: Illum dico errorem, quo quidam agni carnes in Pascha, juxta vel sub altari eas ponentes, benedictione propria consecrabant, et in ipsa resurrectionis die ante caeteros corporales cibos de ipsis carnibus percipiebant. Cujus benedictionis series adhuc a multis habetur. The Benediction-formula see in the ordo Romanus ap. Hittorp de Divinis officiis, p. 79. So also a lamb was solemnly eaten by the pope and eleven cardinals. See ordo Ronnanus auct. Benedictio in Mabillon. Museum Ital. p. 142, and Ordo Rom. auct. Cencio, ibid. p. 186, f.) Quin et reprehendere satagunt, quia penes nos clerici barbas radere suas non abnuunt, et quia Diaconus non suscepto presbyteratus officio apud nos Episcopus ordinatur. (Certainly this took place, and was probably not abolished till

time forward an insurmountable wall of separation remained between the two churches.

But no sooner had *Basil the Macedonian* ascended the throne, than Photius was compelled to yield to Ignatius (867), and the pope was invited to give a new decision.¹³ Photius was condemned at a *synod* held in *Rome* (868),¹⁴ and afterward in *Constantinople* (oecumen. viii. 869).¹⁵ But as Ignatius, in

these objections were adduced. See Mabillon. Comm. in ord. Rom. in the Museum Ital. t. ii. p. cxix. ss.) Hincmar required Odo, bishop of Beauvais, to defend the Latin Church (Ep. ad Odon. Belvac. Opp. ed. Sirmond. ii. 809). He also furnished a work (Flodoardi Hist. Eccl. Rhem. iii. c. 23), which has been lost. Probably, too, a lost work of Ado, archbp. of Vienne, was directed against the Greeks (Hist. lit. de la France, v. 473). There are still extant Ratramni Corbej. mon. contra Graecorum opposita libb. iv. (in d'Achery Spicileg. i. 63), and Aeneae Episc. Parisiensis Liber adv. Graecos (ibid. p. 113). Recently Angelo Majus has published two anonymous writings belonging to this time, de Spir. S. processione a Patre Filioque in the Scriptt. vett. nova coll. vii. i. 245. The Greeks appealed in favor of their view of this doctrine to Joh. xv. 26, the Latins to Joh. xx. 22; Act. ii. 33, xvi. 7; Gal. iv. 6; Phil. i. 19.

¹³ Basili Imp. Epist. ad Nicolaum P. in the Acts of the eighth oecumenical synod, actio iii. (ap. Mansi, xvi. 46, 324).

¹⁴ The acts of this synod in Anastasius in vita Hadriani II. and in the Acts of the eighth oecumenical synod, actio. vii. (ap. Mansi, xvi. 122, ss. and 371, ss.).

¹⁵ The acts in a Latin translation by Anastasius Bibl. (Mansi, xvi. 1, and in a shorter Greek collection (prim. ed. Matth. Raderus. Ingolst. 1604. 4, ap. Mansi, xvi. 209)). The predominance of Rome was so evident here, that soon after a complaint was made by some Greek bishops to the emperor and the patriarch, non bene factum fuisse, quod Ecclesiam Constantinopolitanam tanta subjectione Romanae subdi Ecclesiae permiserint, ita ut hanc ei tamquam dominae ancillam tradiderint, whereon some of the acts are said to have been privately stolen from the papal legate, Anastasii Annotatio ad act i. (Mansi, xvi. 29). Thus the Greek collection certainly appears to have proceeded from a new revision. The difference is most striking in the Cann. which are firmly established act x., and of which 27 are found in Anastasius, l. c. p. 160, ss.; in the Greek collection, ibid. p. 397, ss., only 14. Almost all are directed against Photius. So for instance, can. lat. xi. graec. x. the opinion is condemned, δύο ψυχάς ἔχειν τὸν ἄνθρωπον (comp. Vol. I. Div. II. § 83, note 30, at the end), because it is supposed to have been held by Photius, cf. Anastasii praef. ad conc. p. 6 (which Schroeckh overlooks). Two canons extant in the Latin acts only, are remarkable for their evident attempt to modify the Pseudo-Isidorian principles to suit the East: can. xvii.: Patriarchae—Metropolitanorum—habeant potestatem, vide-licet ad convocabandum eos, urgente necessitate, ad synodalem conventum, vel etiam, ad coercendum illos et corrigendum, etc. Consuenerunt autem Metropolitanui bis in anno synodos facere, ideoque, sicut dicunt, ad patriarchale penitus non posse concurrere caput. Sed sancta haec et universalis synodus, nec concilia quae a Metropolitanis sunt interdicens, multo magis illa novit rationabiliora esse ac utiliora Metropolitanorum conciliis, quae a patriarchali sede congregantur; et idcirco haec fieri exigit, etc. Can. xxvi.: Nullo modo quisquam Metropolitanorum vel Episcoporum a vicinis Metropolitis vel Episcopis provinciae suae judicetur, licet quaedam incurrisse crimina perhibeatur, sed a solo Patriarcha proprio judicetur. But in both collections is found the regulation (can. graec. xiii. lat. xxi.): Si Synodus universalis fuerit congregata, et facta fuerit etiam de sancta Romanorum Ecclesia quaevis ambiguitas et controversia, oportet venerabiliter et cum convenienti reverentia de proposita quaestione sciscitari, et solutionem accipere,—non tamen audacter sententiam dicere contra summos senioris Romae Pontifices. It has been already remarked (§ 1, note 28), that decrees were passed, at this council, against the enemies of

consequence of the decision of the other patriarchs, and favored by Greek influence over Bulgaria resuscitated by Basil, again took ecclesiastical possession of this country,¹⁶ the controversy between Rome and Constantinople still continued.¹⁷

When *Photius* again took possession of the See of Constantinople after Ignatius's death (878), *John VIII.* was induced to acknowledge him in hope of regaining in this way jurisdiction over Bulgaria;¹⁸ and to appoint a *second conc. oecumen. viii.* at

image-worship, who began to be more active, cf. can. iii. and vii. Remarkable continues to be always the observation of the Continuator Aimoini Hist. Francorum lib. v. (in Duchesne Scriptt. rer. Franc. t. iii.) respecting this synod: In qua synodo de imaginibus adorandis aliter, quam orthodoxi doctores ante definierant, statuerunt; quaedam etiam pro favore Romani Pontificis, qui eorum votis de imaginibus adorandis annuit, et quae-dam contra antiquos canones, et contra ipsam synodus constituerunt, sicut qui camdem synodus legerit, patenter inveniet. Cf. Richerii Hist. concill. generall. i. 717, 740.

¹⁶ Anastasius in vita ciuii. Hadriani II. After the conclusion of the council, the papal legates, the vicarii Patriarcharum, Ignatius and some others were assembled before the emperor. Then appeared the Bulgarian embassadors, asking: Usque hodie pagani fuimus, et nuper ad gratiam christianitatis accessimus. Ideoque ne in aliquo errare videamur, cui Ecclesiae subdi debeamus, a vobis, qui vices summorum Patriarcharum geritis, nosse desideramus. The vicarii of the oriental patriarchs ask the legates: Quaundo vos illam patriam cepistis, cuius potestati subdita erat, et utrum Latinos, an Graecos sacerdotes habuerit, dicite. The embassadors: Nos illam patriam a Graecorum potestate armis evicimus, in qua non Latinos sed Graecos sacerdotes reperimus. To this the vicarii: Si Graecos sacerdotes ibi reperistis, manifestum est, quia ex ordinatione Constantinopoleos illa patria fuit. The Roman legates declare on the contrary: Sedes apostolica—utramque Epirum, novam videlicet veteremque, totamque Thessaliam, atque Dardaniam—cujus nunc patria ab his Bulgaris Bulgaria nuncupatur, antiquitus canonice ordinavit et obtinuit. Ac per hoc, etc. Secondly: Bulgares,—sedis apostolicae semet—patrocinio—specialiter committentes, nobis debent, nec immerito, subjici, quos, ultronea voluntate magistros elegere. Thirdly: Eosdem Bulgares s. sedes apostolica—a diversis erroribus ad catholicae fidei veritatem multo sudore—transferens—ultra triennium tenuit, tenet, ordinat ac disponit. Finally: S. sedes apostolica vos, quia revera inferiores estis, super sua causa judices nec eligit nec per nos elegit, utpote quae de omni Ecclesia sola specialiter fas habeat judicandi. But to this the vicarii reply: Satis indecens est, ut vos, qui Graecorum imperium detrectantes, Francorum foederibus inhaeretis, in regno nostri Principis ordinandi jure servetis. Quapropter [quod] Bulgarum patriam ex Gracorum potestate dudum fuisse, et Graecos sacerdotes habuisse comperimus, s. Ecclesiae Constantinopolitanae, a qua quia per paganum recesserat, nunc per christianismum restitui judicamus. And thus it remained, Bulgares—Graecos sacerdotes—suscientes, nos-tros ejiciunt.

¹⁷ Continuation of the Roman claims to jurisdiction in Bulgaria in Hadriani II. Epist. ad Basiliūm (in append. ad conc. viii. ap. Mansi, xvi. 206), Johannis VIII. Epist. 75, 77, 174, 189, 192, ad Michaelem Regem Bulgar 76, ad Petrum Comitem, 78, ad Ignatium Patr. 79, ad Episc. et clericos Graecos, all in Mansi, xvii. 62, ss.

¹⁸ Joh. VIII. Epist. 199, ad Basiliūm et Alexandrum Imp. 200, ad clericos Constantinop. 201, ad Photium Patr. 202, ad Constantinopolitanos, all dated 16th August, 879. To Photius he writes: Quod dicitur autem, s. Constantinopolitanam Ecclesiam in te convenire, teque privatam sedem recipere,—de adunatione omnium Deo gratias agimus. Verum super receptione privatæ sedis nos debuimus ante consuli. Tamen quia obeunte fratre et coepiscopo nostro Ignatio, te Constantinopolitano throno praesidere audivimus: tantum ut pax augeatur, et iurgia cesserent, multimodas Deo gratias agimus. Et cum non sit

Constantinople (879 and 880),¹⁹ at which the first of 869 was reversed. But he soon found himself deceived; and no resource was left him but to retract every thing and condemn Photius.²⁰

Photius was a second time deposed by *Leo the Wise* (886),

reprehensibilis erga correctum quantacumque miseratio, si satisfaciens coram synodo misericordiam secundum consuetudinem postulaveris, ac si evidenti correctione utaris, et peritiae non obliviscens nullius damna moliaris,—et si—omnes uno voto—in tua restitu-tione convenerint: veniam pro pace s. Constantinopolitanæ Ecclesiae tibi concedimus, etc. Praeterea sicut vestra pars suum velle conatur vires accipere, ita et diocesim nos-tram Bulgarianam, quam—P. Nicolai certamine sedes apostolica recepit, ac Hadriani—tempore possederat, summa nobis celeritate restitui volumus, etc.

¹⁹ Afterward commonly called by the Latins Pseudosynodus Photiana. The acts ap. Mansi, xvii. 373, ss. The Greeks succeeded in bringing over to their mind the papal legates, by flattery and artful management; those papal letters to Basil and to Photius were laid before the synod in a Greek translation, in which all their rudeness was taken away. That passage of the letter to Photius (note 18) ran thus for example (p. 413): ‘Εγραφας ἡμῖν, ὅτι ἡ ἀγιωτάτη τοῦ Θεοῦ Κωνσταντινουπολίτων Ἐκκλησίᾳ ἐν σοι συνε-φόντησε,—καὶ ὅτι τὸν ὄρον, ὃν ἐστερήθης, ἀπέλαβες, ὃς ἦν ἴδιος σου· ὑπὲρ τούτων, λέγω δὴ τῆς Ἐκκλησίας καὶ τῆς ἀποκατάστασεώς σου—Θεῷ τὴν εὐχαριστίαν ἐξ ὅλης ψυχῆς καὶ συνάμεως ἀπεπέμψαμεν.—Ἄλλῃ αὐτὸς τῇ ἐνούσῳ σοι σοφίᾳ καὶ συνέσει—πάντας μετέρχον οἰκειούσθαι πρὸς σέ, κ. τ. λ.—Διὸ καὶ τὴν σὴν ὑδελφότητα ἀξιούμενην,—μὴ ἀπαξιῶσαι ἐπὶ τῇ συνάδῳ κηρύξαι τὸ εἰς σὲ τοῦ Θεοῦ ἔλεος, καὶ τὴν βοήθειαν, καὶ τῆς ἀγιωτάτης τῶν Πρωταίων Ἐκκλησίας τὸν ὑπερασπισμόν, κ. τ. λ. Concerning Bulgaria not a word, but on the contrary there was interpolated: Τὴν δὲ γενομένην κατὰ τῆς σῆς εὐλαβείας σύνο-δον ἐν τοῖς αὐτόθι ἡκυρώσαμεν καὶ ἔξωστρακίσαμεν παντελῶς, καὶ ἀπεβαλόμεθα, διὰ τε τὰ ἄλλα, καὶ ὅτι δὲ πρὸ ἡμῶν μακάριος πάπας Ἀδριανὸς οὐχ ὑπέγραψεν ἐν αὐτῷ.—Concerning the demands of the papal legates respecting Bulgaria it was said: ὁ περὶ ἐνορίας λόγος τῆς παροῦσῆς διέστηκεν ὑποθέσεως, καὶ καιρὸν ἴδιον ἐπιζητεῖ. Whatever the emperor may decide on the subject, στέργομεν καὶ συνευδοκοῦμεν καὶ ἡμεῖς (p. 420, 488.) Finally, actio vi. (p. 515) the Nicene-Constantinopolitan symbol was recognized, and respecting it the determination was: εἴ τις—βῆμασι νόθοις ἢ προσθήκαις ἢ ἀφαιρέσει τὴν ἀρχαιότητα τοῦ ἱεροῦ τούτου καὶ σεβασμίου ὄρου κατακλύζῃεσθαι ἀποθρασκυνθεῖ—εἴ μὲν τῶν Ἱερω-μένων εἴη τις, παντελεῖ καθαιρέσει τοῦτον καθυποβάλλομεν· εἴ δε τῶν λαϊκῶν, τῷ ἀνα-θύματι παραπέμπομεν. By this only the Western addition could be meant. As to what Baron. ad ann. 879, no. 73, and Bellarminus de Concil. lib. i. c. 5, asserted, that the whole synod may have been a fabrication of Photius, Leo Allatius de Octava synodo Photiana. Rom. 1662. 8, and de Eccles. occid. et orient. perpetua consensione, p. 591, has expressed as a certainty. On the contrary John VIII. Epist. 250, ad Photium: Ea, quae pro causa tuae restitutionis synodali decreto Constantinopoli misericorditer acta sunt, recipimus. Et si fortasse nostri legati in eadem synodo contra apostolicam praeceptionem egerunt, nos nec recipimus, nec judicamus alicuius existere firmitatis. In like manner Epist. 251, ad Imperatores with the date Idibus Aug. Indict. xiii. (880). Before open enmity had broke forth again, Photius sent a letter to the patriarch of Aquileia (Latin ap. Baronius, ann. 883, no. 4), in which he proves at length to him that the Holy Spirit proceeds only from the Father.

²⁰ In an old work on the various condemnations of Photius, ap. Mansi, xvi. 449: Ἰωάννης—ἀνεθεμάτισε Φώτιον, ὅτε ἀπεπλάνησε τὸν περὶ Εὐγένιον διὰ τὴν Βονιγαρίαν ἐλθόντας. Λαβὼν γὰρ τὸ Εὐαγγέλιον καὶ ἀνελθὼν ἐν τῷ ἀμβωνι, πάντων ἀκονόντων ἔφη· ὁ μὴ ἔχων τὸν θεοκρίτως ἀναθεματισθέντα Φώτιον, ὃς ἀφήκαν αὐτὸν Νικόλαος καὶ Ἀδριανὸς οἱ ἀγιώ-τατοι Πάπαι, οἱ προκάτοχοι μον, ἐστω ἀνάθεμα. The Latins continued to count the coun-cil of 869 the eighth oecumenical one, the Greeks abide by that of 879, but reckon only seven general councils. Of the measures taken by the following popes against Photius, we have extant only Stephani V. Epist. ad Basiliūm Imp. A.D. 885 (Mansi, xviii. 11).

though with less reference than before to the co-operation of Rome.²¹

The attempts of Photius (shortly before 866) to gain over the Armenians again to the Greek Church,²² were as fruitless as those of *Nicolaus Mysticus*,²³ patriarch of Constantinople, from 895–925.

§ 42.

LATER CONTROVERSIES TILL THE ENTIRE SEPARATION OF THE TWO CHURCHES.

Michaelis Cerular. Epist. ii. ad Petrum Patriarch. Antioch. (in Cotelerii Ecclesiae Graec Monum. ii. 135 and 162).

Since the *Encyclica* of Photius, doubts of Latin orthodoxy had been gradually taking deeper root among the Greeks. And because, on the other side, the Pseudo-Isidorian principles, and the continued claims of the popes to Bulgaria appeared in the way, the ecclesiastical bond between the sees of Constantinople and Rome was necessarily always becoming looser, and would have been entirely broken earlier, had not the interest of the Greek emperors prevented the crisis. The little communication between them had long been of a merely hostile character,¹

²¹ It is true that even the emperor and Stylianus bishop of Neocaesarea (Epist. ad Stephan. Mansi, xvi. 425, and xviii. 14), applied this time to the pope, on which Stephanus Epist. ad Episc. orient. (ib. xviii. 18) replied. With Styliani Epist. ii. ad Stephan. A.D. 889 (ib. xvi. 437), to which Formosus (ib. xvi. 440, xviii. 101) replied, and a third letter of his, A.D. 898, now lost, the answer to which, by John IX. Baronius, ad ann. 905, no. 9, has, the correspondence closed without having had any effect.

²² Photii Ep. ad Zachariam, Patriarcham Armeniorum, and Ep. ad Asutium, Principem Armeniae, both from the Armenian in the Spicilegium Romanum, x. ii. 449. It is remarkable that Angelo Majus has only given in brief the contents of the part of the first letter (p. 452) in which Photius praises very much the church of Constantinople, caeteroqui de Patriarchatum aliquot origine malitiosa et procul omni veritate loquitur. Photius seems to have been at first deceived by favorable replies and oriental flatteries from the Armenians; for in his *Encyclica* (ed. Montacutii, p. 48, s.) he thinks he had converted them.

²³ A collection of his letters in the Spicilegium Romanum, x. ii. 161. In the same, Ep. 139, p. 417, to the ruler of Armenia, comp. praef. p. xviii.

¹ Ex. gr. the fourth marriage of the emperor Leo Philosophus having been condemned by the patriarch Nicolaus Mysticus, Pope Sergius III. (904) declared it allowable (cf. Nicolai Epist. ad Anastasiū P. A.D. 912, and ad Joannem X. A.D. 920, ap. Mansi, xviii. 243, more fully in Greek in the Spicilegium Rom. x. ii. 287, 326). Hence arose a division in the Greek church: but the Synod. Constant. A.D. 920, decided against the pope (Acts ap. Mansi, xviii. 331), cf. Theophanis Continuati, lib. vi. de Leone, c. 23, 24. Symeon Logoth. in Leone, c. 12, 17, 18. Schlosser's Weltgesch. ii. ii. 226. Another remarkable transaction

when at length *Michael Cerularius*, patriarch of Constantinople, renewed open warfare, by his letter to *John*, bishop at *Trani* in *Apulia*² (1053), filled with invectives against the alleged

between the two hierarchs is related by Glaber Radulph. iv. c. 1: Circa annum igitur Domini MXXIV. Constantinopolitanus Praesul cum suo Principe Basilio, aliquis nonnulli Graecorum consilium inire, quatenus cum consensu Romani Pontificis liceret Ecclesiam Constantinopolitanam in suo orbe, sicuti Roma in universo, universalem dici et haberit. Qui statim miserunt, qui deferent multa ac diversa donorum xenia Romam, tam Pontifici, quam caeteris —. Ac licet pro tempore phialargyria mundi regina queat appellari, in Romanis tamen inexplicable cubile locavit. Mox namque ut videre, Graecorum sibi deferri fulgidas opes, versum est cor illorum ad fraudulentiae diverticula, pertantantes an forte clanculo concedere quiverant, quod petebatur: sed nequaquam.—Dum ergo adhuc leni sub murmure hujusce machinatores in conclavi sese putarent talia tractavisse, velox fama de ipsis per universam Italiam decucurrit. Sed qualis tunc tumultus, quam vehemens commotio per cunctos exstitit, qui audierunt, dici non valet. Willelmus Abbas Divionensis s. Benigni wrote a severe letter of warning to the pope, concluding with these words: De caetero quoque optamus, uti universalem decet Antistitem, vos acrius in correctione ac disciplina sanctae et apostolicae Ecclesiae vigere. So also Hugonis Flaviniac. Chron. Virdunense, ad ann. 1024 (ap. Bouquet, x. 209). The later Greeks pretend that Filioque was inserted in the symbol for the first time under Pope Christophorus (904) and that from that time forward the popes were erased from the Diptycha in Constantinople (Allatii de Eccl. occid. et orient. perpet. consensu, p. 606, ss.). But this is not true, since as late as John XVIII. († 1007) it was not so (Petri Patr. Ant. Ep. ad Michael Cerul. in Cotelieri Monum. Eccl. Gr. ii. 148). At the time of Michael Cerul, however, it had long been so, for he even supposes that it had been done since the sixth ecumenical council on account of the behavior of Vigilius (!) ἡ ἐν τοῖς ἱεροῖς διπτύχοις ἀναφορὰ ἐξεκόπη τοῦ Πάπα (Ep. ad Petr. Ant. l. c. p. 140), an error which Peter corrects in this very passage. Perhaps that difference respecting the Patr. oecumenicus had given rise to such an idea.

² Only extant in Humbert's Latin translation (ap. Baronius, ad. ann. 1053 no. 22 and Canis. Lectt. ant. ed. Basnage, iii. i. 281): Michael universalis Patriarcha novae Romae et Leo Archiepiscopus Achridae metropolis Bulgarorum dilecto fratri Joanni Tranensi Episc. Dei magna dilectio et jucunda compassionis viscera flexere nos scribere ad tuam Sanctitatem et per te ad universos principes sacerdotum et sacerdotes Francorum, et mouachos et populos, et ad ipsum reverendissimum Papam, et memorari de Azymis et Sabbatis, quae mystice indecenter custoditis, et communicatis Iudeis. Etenim Azyma et Sabbathi ipsi custodiare a Moyse jussi sunt: nostrum vero Pascha Christus est. Reference to Matth. xxvi. 17, 18, 20, 26-28.—“Hic est sanguis meus novi Testamenti.” Dicendo enim “novi” ostendit, quomodo ea, quae veteris fuerunt Testimenti, cessavere. Aspicite quomodo panem corpus suum sub novo Testamento vocavit. Vos quidem panem, nos ἄρτον dicimus “Ἄρτος autem interpretatur elevatus et sursum portatus a fermento et sale, calorem et elevationem habens. Azymae autem nihil distant a lapide sine anima, et luto lateris, deorsum conjunctae terrae et sicco luto comparatae. Aut non audistis Jesum dicentem discipulis suis: “Quia vos estis sal terrae?” (Matth. v. 13) et “quoniam simile est regnum caelorum fermento, quod accipiens mulier abscondit in farinac satis tribus,” etc. (Matth. xiii. 33). Mulierem sanctam Ecclesiam vocat. Satis vero tribus [s.] modiis repletis, Patrem et Filium et Spiritum Sanctum, quorum nequaquam lutulentae azymae sunt particeps. (According to J. Sirmondi Disquis. de azymo, semperne in usu fuerit apud Latinos? Paris. 1651. 8, the Latins also used fermented bread in the Lord's Supper till the eighth century; with whom agrees J. Bona, Rerum liturg. lib. i. c. 23. On the other side is J. Mabillon. Diss. de pane eucharistico, azymo ac fermentato. Paris, 1674. 8; also in his Analectis, ed. ii. p. 522, and J. Ciampini Conjecturae de perpetuo azymorum usu in Ecclesia latina. Romae. 1688. 4). Sabbatha vero quomodo in Quadragesima Iudeice observatis? An allusion to Matth. xii. 1, ss. Marc. ii. 27. Joh. ix. 16. Luc. xiii. 15. Et ideo hi, qui Sabbathum cum azymis custodiunt, neque Iudei neque Christiani sunt, sed

errors of the Latin Church. The Emperor *Constantine Monomachus* used indeed every means in his power to prevent the entire rupture, and fortunately succeeded in persuading Pope Leo IX. to enter on the preliminaries of a reconciliation;³ but the extravagant demands of the Roman legates⁴ sent to Constantinople, the bitterness of the writings which *Humbert* composed in refutation of that letter of the patriarch,⁵ and another

similes sunt leopardo, sicut dicit magnus Basilius, cuius capilli nec nigri sunt, nec albi omnia. Quomodo autem et suffocata hi tales comedunt, in quibus sanguis tenetur? An nescitis ut omnis animalis sanguis anima ipsius sit, et qui comedenter sanguinem, animem, comedit? (Cf. Jo. Rud. Kiesling Hist. concordationis Graec. Latinorumque de esu sanguinis et carnis morticiniae. Erlang. 1763. 8). Item Alleluja in Quadragesima non psallitis, sed semel in Pascha tantummodo, etc. Cur tantum deceptionem horum talium non aspicitis, nec intelligitis, neque corrigitis populos et vosmetipos, sicut qui debent judicari ex his a Deo? Non derelinquitis, quod dicitur, quod hoc Petrus, et Benedictus, et Paulus et caeteri docuerunt? Decipiatis vos ipsos et populum in istis. Quae vero scripsi, ea sunt, quae Petrus et Paulus et caeteri Apostoli et Christus docuit; et sancta Ecclesia catholica suscepit et custodit religiose. Quae et vos correcti custodite. Azymas vero et custodias sabbatorum projicite miseris Judaeis: Similiter et suffocata barbaris gentibus, ut fiamus puri in recta et immaculata fide, et unus grex unius pastoris Christi. Cujus in cruce divino sanguine inebriati laudamus puri pure Patrem et Filium et Spiritum Sanctum, universa Mosaicae legis et ab eo custodita derelinquentes sine Deo Judaeis, qui velut caeci perquirentes Christum lumen amiserunt, permanentes in umbra, sicut insipientes perpetuo. Haec autem homo Dei et multotiens ipse cum populo agnoscens docuisti esse, et correctus scripsisti multis similem consuetudinem habentibus. Et ut habeas salutem animae tuae, mitte principibus sacerdotum et sacerdotibus, et adjura, ut per haec seipso corrigant et Dei populum, ut Dei mercedem in istis habeas. Et si hoc feceris, propono et per secundam scriptiōnē majora et perfectiora his tibi scribere, fidei vera ostensione et firmamento animarum, pro quibus Christus posuit animam suam. A larger work of Michael against the Latin church is found in MS. in the Imperial library at Vienna (Lambec. Comm. de bibl. Vindob. lib. iii. p. 160).

³ Cf. Leonis IX. Epist. i. et vi. ad Michaelem Constantinop. Patr., Epist. vii. ad Constant. imp. (ap. Mansi, xix. 635, ss.) ⁴ Their names see below, note 7.

⁵ Humberti responsio instar dialogi ab ipso latine conscripta—et jussu Imp. Constant. graece edita sub nominibus Constantinopolitani et Romani (prim. ed. Baronius in Append. t. xi. in Canisii Leett. ant. ed. Basn. iii. i. 283). The epist. Michaelis ad Joannem Tranensem is expressed piece by piece from the Constantinopolitan, and is then refuted by the Roman Ex. gr. in the beginning: Ex hac vestra praefatione, sicut profitemini, crederemus, vos salutem totius Latinae seu occidentalis Ecclesiae pro sola magna Dei dilectione quaerere: si sciremus vos vestram vestrorumque non negligere. Cum vero vos ipsos et vobis commissos negligatis, ut nefandos Jacobitas, imo Theopaschitas, seu alias haereticorum pestas, inter vos et penes vos habeatis (comp. Vol. I. Div. II. § 111, note 6, below, § 45, note 3), neque eorum consortia, neque colloquia, neque convivia seu pariter orare devitatis: quomodo saltem suspicabimur, vos aliqua dilectione Dei aut proximi praemonitos compati nostrae perditioni, sicut putatis? etc. Ast vos, quasi omnia munda immunda sint vobis, oculis contra vos et vestra clausis, s. Romanam et omnem occidentalem Ecclesiam pollutam haeresi et Judaismo proclamatis, et velut quandam abominationem devitatis. Ex qua tam caeca et haec tenus inaudita audacia ad hoc prorupistis, ut cunctorum haereticorum, quos adhuc reprehendere voluimus, temeritatem transcedat. Quamvis omnino singulae haereses suis adinventionibus aliqua Ecclesiae membra fatigaverint: nulla tamen adhuc ad tantam vesaniam erupit, ut opinionem suam primae et apostolicae sedi ingerere praesumisset cum interpositione anathematis. Recensete si

of a later opponent of the Latin Church, *Nicetas Pectoratus*,⁶ in Constantinople, and the mode in which the latter had been humbled with the aid of the emperor,⁷ must have prevented all

placet ab initio Christianitatis usque ad nostra tempora cunctarum haerescon molimina, et videbitis, an aliqua earum praesumserit talia. Et cum non inveneritis, saltem tunc resipiscite, ne, quod absit, permaneatis viciniore praecursoribus illius Antichristi, qui adversatur et extollitur supra omne, quod dicitur Deus aut quod colitur. The conclusion: Haecce sunt illa majora et perfectiora, ut tanta oblatio imponatur altari, quanta nequeat a ministris, vel a populo sumi, et idcirco debeat subterrari, aut in puteum ad hoc praeparatum projici? Haecce quoque sunt illa majora et perfectiora, ut novus maritus, et recenti earnis voluptate resolutus, et totus marcidus Christi ministret altaribus, et ab ejus immaculato corpore sanctificatus manus confestim ad muliebres transferat amplexus? Haecce sunt illa perfectiora, ut mulieribus christianis in partu vel in menstruo periclitantibus communio denegetur? aut paganis baptismus interdicatur? et parvulis morituris ante octo dies regeneratio per aquam et Spiritum Sanctum subtrahatur? In quo utique crudeliores Herode, non tantum in corpore, sed et in anima quotidie trucidatis parvulorum innumerabilem populum, et destinatis ad ignem aeternum. Numquid etiam inde est, quod hominis morituri imaginem affligit crucifixae imagini Christi, ita ut quidam Anti-christus in cruce Christi sedeat, ostendens se adorandum tanquam sit Deus? Numquid et illud inde est, quod pejus sit, monachos femoralibus indui et carnibus vesci, quam fornisci? Ideone clauditis ecclesias Latinorum, et dirigitis scripta per totum orbem, ut ad haec majora et perfectiora pertrahatis omnem christianum populum? Non sunt haec talia ostensio verae fidei, sed adinventio Diaboli. Nec sunt firmamentum, sed destructio animalium. Pro quibus omnibus et aliis, quos longum est scripto prosequi, erroribus, nisi resipueritis, et digne satisfeceritis, irrevocabile anathema hic et in futuro eritis a Deo et ab omnibus catholicis, pro quibus Christus animam suam posuit.

⁶ Nicetae Presb. et monachi Monasterii Studii lib. contra Latinos (ap. Baron. I. c. and Canis. I. c. p. 308). This work touches also other peculiarities of the Latins. Quis ille est, qui tradidit vobis, prohibere et abscindere nuptias sacerdotum? Quis ex doctoribus Ecclesiae hanc vobis tradidit pravitatem? Referring to Can. apost. 5 (Vol. I. Div. II. § 73, note 9), and Conc. sexti can. 13 (ibid. § 129, note 3). Unde igitur vobis, et ex quibus hae horribiles infirmitates supervenerunt, o viri Romanorum sapientissimi, et omnium aliarum gentium nobilissimi? Aestino, quod quidam ex Judaeis in tempore Apostolorum credentes, vana lucra cupientes, et pecuniarum amatores reperti, volentes multos fidelium abstrahere ex Evangelio:—in hoc et Christianitas et Judaismus corrupta sunt. On the other hand, Humberti responsio contra Nicetam (ll. cc.) ex. gr. in the beginning: Vae tibi, Sarabaita, qui nulla coenobitali examinatus disciplina, voluntate atque voluptate ductus propria, contra sanctam et Romanam et apostolicam Ecclesiam et omnium, SS. Patrum concilia horribiliter latrasti, stultior asino, frontem leonis et murum adamantineum frangere tentasti. In quo utique conatu non es vitor erroris, sed-victus errore:—puer centum annorum maledictus, potius dicendus Epicurus, quam mouachus: nec credendum es degere in monasterio Studii, sed in amphitheatro aut luponari, etc.

⁷ Brevis commemoratio corum, quae gesserunt Apocesisarii s. Rom. sedis in regia urbe (written by Humbert ap. Baron, ann. 1054, no. 19, Canis. I. c. p. 325): Anno XL imperii Constantini Monomachi, Ind. vii. ipso die nativitatis b. Joannis Baptiste, advenientibus a domino Papa Leone IX. Apocesisarii s. Romana sedis, Humberto scilicet Cardinali Episcopo Sylvae Candidae, et Petro Amalphitanorum Archiepiscopo Friderico quoque Diacono et Cancellario, ad monasterium Studii intra urbem Constantinopolitanam: Niceta monachus, qui et Pectoratus, ante praesentiam praefati Imperatoris et procerum ejus, insistentibus ipsis Nuntiis Romanis, anathematizavit quoddam scriptum sub suo nomine contra sedem apostolicam et omnem Latinam Ecclesiam editum, et practitulatum: De azymo, de sabbato, de nuptiis sacerdotum. Insuper anathematizavit cunctos, qui ipsam s. Ecclesiam Romanam negarent primam omnium Ecclesiarum esse, et qui illius fidem semper orthodoxam prasumerent in aliquo reprehendere. Post haec statim in conspectu

adjustment of the dispute. Michael, supported by his clergy and the people, remained immovable; the legates (on the 16th July 1054), laid upon the altar of St. Sophia an act of excommunication against him,⁸ which, however, was immediately an-

ommium, ad suggestionem corundem Nuntiorum Romanorum, jussit idem orthodoxus Imperator praefatum incendi scriptum, sicut fuit discessum. Sequenti autem die praedictus Niceta urbe est egressus, ultro adiit legatos ipsos intra palatium Pigi. A quibus accipiens perfectam suarum, propositionum solutionem, iterum sponte anathematizavit omnia dicta et facta vel tentata adversus primam et apostolicam sedem. Sic ab eis in communionem receptus, effectus est eorum familiarius amicus. Porro dicta vel scripta corundem Nuntiorum adversus diversas calumnias Graecorum, et maxime contra scripta Michaëlis Constantinopolitani Episcopi, et Leonis Acriani Metropolitani Episcopi, et saepedicti Nicetae monachi, jussu Imperatoris in Graecum suere translata, et in eadem urbe hactenus conservata.

⁸ Brevis Commem. proceeds: Tandem Michaële praesentiam corundem et colloquium devitante atque in stultitia sua perseverante, praefati Nuntii xvii. kal. Aug. adierunt Ecclesiam s. Sophiae, et super obstinatione illius conquesti, clero ex more ad Missas praeparato, jam hora tertia, die sabbathi, chartam excommunicationis super principale altare posuerunt sub oculis cleri et populi. Inde mox egressi, etiam pulverem pedum suorum excussere in testimonium illis, dictum Evangelii proclamantes: "Videat Deus et judicet." (Michael Epist. i. ad Petr. Ant. admits, after much complaint of the presumptuous pride of the legates: Ἡμεῖς μὲν τὴν αὐτῶν συντεχίαν παρηγόρευεθα καὶ τὴν ἐντευξίν. οὐαὶ τε τὸ ἀμεταθέτως ἔχειν αὐτὸν τῆς δυσσεβείας πεπισθα· καὶ ὅτι ἄνευ τῆς μακαρίστητος καὶ τῶν ἄλλων ἀγιωτάτων Πατριαρχῶν, περὶ τοιούτων λόγους πρὸς τὸν τοποτημῆτάς τῆς Ῥώμης ἀνακινεῖν, καὶ ἀνάξιον ὅλως, καὶ τῇ κατὰ τοὺς ἄνω χρόνους ἐν τοῖς τοιούτοις κρατησαγγ συνηθείᾳ ἐναντίον καὶ ἀκατάληλον ἐνομίζομεν.) Hinc ordinatis Ecclesiis Latinorum intra ipsam Constantinopolim, et anathemate dato cunctis, qui deinceps communicarent ex manu Graeci Romanum sacrificium vituperant, in osculo pacis accepta orthodoxi Imperatoris licentia donisque imperialibus s. Petro et sibi, alacres coepere reverti xv. kal. Augsti; sed nimia instantia precum Michaëlis, spondentis tunc demum, se conflixerunt cum eis, Imperator compulsus a Solembria literis suis eos revocavit xiii. kal. Augsti. Quo etiam die festinantes regressi devenerunt ad palatium Pigi. Quos praefatus Michaël haeresiarcha comperiens redisse, quasi ad concilium conabatur adducere in Ecclesiam S. Sophiae, sequenti die ut ostensa charta, quam omnino corruperat transferendo, obruerentur ibidem a populo. Quod prudens Imperator praeceavens noluit haberi aliquod concilium, nisi et ipse adesset praesens. Cunque hoc ei omnimodis Michaël contradiceret, jussit Augustus ipsos Nuntios confestim arripere iter. Quod et factum est. (On the other hand, Michaël, l. c., says there was no intention of punishing the bold, however, τοὺς τὴν ἀσεβῆ κατὰ τῶν ὁρθόδοξων ἐκθεμένους γραφήν, προστάξει βασιλικῆ ἐν τῷ μεγάλῳ σεκρέτῳ ὑπερβάλομεν ἀναθέματι πολλὰ μὲν μετὰ τὴν τῆς γραφῆς ταῦτης ὑπόθεσιν, περὶ τοῦ εἰς ὅφιν ἥμεν ἔλθειν, καὶ τοῖς τε ἄλλοις τῶν ἐν αὐτῇ, καὶ τῇ διαστροφῇ τοῦ ἀγιον συμβόλον ἀποτάξασθαι παρανέσαντες· ὡς δὲ οὐκ ἡρείχοντο, ἀλλὰ καὶ διαχειρίσασθαι ἔαντον, εἰ μὴ παύσονται περὶ τούτου ὀχλούμενοι, διηπειλούν, εἰς τὸ κατὰ τῆς αὐτῶν βλασphemias συνειδομεν χωρῆσαι ἀνάθεμα.) Porro vesanus Michaël dolens suas non procedere insidias, concitavit Imperatori vulgi seditionem maximam, velut Nuntiis cooperata fuerit ejus voluntas. Unde Imperator coactus, interpres Latinorum Paulum ac filium ejus Smaragdum, caesos et detonsos Michaëli tradidit: sique tumultus ille conquicvit. Verum Imperator post Nuntios Romanos directis suis, exemplar excommunicationis verissimum a civitate Russorum remissum sibi accepit, civibusque exhibuit, ac tandem Michaëlem falsasse chartam legatorum comperit atque convicti. Itaque commotus amicos et affiles ipsius honoribus privatos a palatio eliminavit, contraque ipsum usque nunc graves iras retinuit. Denique exemplar chartae excommunicatoriae est tale: Humbertus,—Petrus,

Fredeicus,—omnibus catholicae Ecclesiae filiis: Sancta Romana prima et apostolica

swwered by the patriarch with a like anathema.⁹ The other¹⁰

sedes—nos Apocrisarios suos facere dignata est, ut juxta quod scriptum est, descendere mus et videtur, utrum opere completus sit clamor, qui sine intermissione ex tanta urbe conscedit ad ejus aures. Quantum ad columnas imperii, et honoratos ejus atque cives sapientes, christianissima et orthodoxa est civitas. Quantum autem ad Michaëlem abusive dictum Patriarcham, et ejus stultitiae fautores, nimia zizania haereseon quotidie seminantur in medio ejus. Quia sicut Simoniaci donum Dei vendunt: sicut Valesii hospites suos castrant, et non solum ad clericatum sed insuper ad episcopatum promovent: sicut Arriani rebaptizant in nomine S. Trinitatis baptizatos, et maxime Latinos: sicut Donatistae affirmant, excepta Graecorum Ecclesia, Ecclesiam Christi et verum sacrificium atque baptismum ex toto mundo periisse; sicut Nicolaitae carnales nuptias concedunt et defendant sacri altaris ministris; sicut Severiani maledictam dicunt legem Mosis: sicut Pneumatomachi vel Theomachi absciderunt a symbolo Spiritus Sancti processionem a Filio: sicut Manichaei inter alia quodlibet fermentatum fatentur animatum esse: sicut Nazareni carnalem Judaeorum munditium adeo servant, ut parvulos morientes ante octavum a nativitate diem baptizari contradicant, et mulieres in menstruo vel in parte periclitantes communicari, vel si paganae fuerint, baptizari prohibeant, et capillos capitum ac barbae nutrientes, eos qui comam tendent, et secundum institutionem Rom. Ecclesiae barbas radunt, in communione non recipient.—Therefore: Michaël—et Leo Acridanus Episcopus dictus, et sacellarius ipsius Michaëlis Constantinus, qui Latinorum sacrificium profanis conculeavit pedibus, et omnes sequaces eorum in praefatis erroribus et praesumptionibus, sint Anathema Maranatha, cum Simoniaci, Valesiis, etc., et cum omnibus haereticis, imo cum Diabolo et Angelis ejus, nisi forte resipuerint. Amen, amen, amen.

⁹ A synod summoned by Michael issued in July 1054, in opposition to that excommunication—writing a ζημειώμα (edictum) (see in Allatii de Libris ecclesiasticis Graecorum diss. ii. Paris. 1645. 4. p. 161. Instead of μηνὶ Ἰονίῳ Ἰνδικτ. ζ. it must be read Ἰουλίῳ, as, p. 170, the reading twice appears). There it is said that those legates were ταῖς παρὰ τοῦ Ἀργυροῦ (a Greek dux in Lower Italy, see Schlosser's Weltgesch. ii. ii. 602, ff. 647, ff. δολεραῖς ὑποθήκαις καὶ συμβούλαις, αὐτοὶ τε ἀφ' ἐαυτῶν ἀφικόμενοι, καὶ μήτε παρὰ τοῦ Πάπα ἀποστάλεντες. ἀλλὰ καὶ τὰ γράμματα, ἡ ὡς ἀπ' ἔκεινον δῆθεν ἐπεέροντο, πλασάμενοι. This was proved in particular by the false seal. Having departed immediately after their daring act, the emperor, at the instance of the patriarchs, sent to bring them back, but οὐ βούλονται δὲ τὴν ἡμετέρα μετριότητι προσελθεῖν, η τὴν λερὰ καὶ μεγάλη συνόδῳ εἰς ὅψιν ἐλθεῖν, καὶ ἀπόκρισίν τινα δοῖναι, περὶ ὧν ἀσεβῶν ἀπηρεύσαντο,—αἱρεῖσθαι δὲ θανεῖν μᾶλλον, η εἰς ὅψιν ἥμιν καὶ τὴν συνόδῳ ἐλθεῖν. According to his letter inserted here, the emperor was entirely on the side of the patriarch, and only withheld from violent measures against the legates διὰ τὸ δοκοῦν περικεῖσθαι τούτους τῆς πρεσβείας ὄφφίκιον. The conclusion is, that on the 24th July, ἐπ' ἀκρόασει τοῦ πλήθους ἀγαθεματισθῆναι τὸ αὐτὸν ἀσεβὲς καὶ αἰθις ἔγγραφον πρὸς δὲ καὶ τοὺς τοῦτο ἐκθεμένους καὶ γράφαντας, καὶ συναίνεσιν τινα, η βούλην εἰς τὴν τούτου ποίησην δεδώκότα. τὸ δὲ πρωτότυπον τὸν ριψόντος παρὰ τῶν δυστεβῶν ἀνοσίους ἔγγράφους καὶ μισαροῦ [οὗ] κατεκάθη, ἀλλ' ἐν τῷ εἴαγει τὸν χαρτοφύλακος ἀπετέθη σεκρέτῳ εἰς ἐλεγχὸν διηνεκὴ τῶν τηλικαῖτα τοῦ Θεοῦ ἥμῶν βλασφημησάντων.

¹⁰ Cf. Michaëlis Epist. i. ad Petrum Antioch, in which an account of the affair is given, and of the errors of the Latins. To those already recounted new ones are added: 'Ἐν τῇ λειτουργίᾳ κατὰ τὸν καιρὸν τῆς μεταλήψεως εἰς τῶν λειτουργούντων ἐσθίων τὰ ἄχυμα τοὺς λοιποὺς ὑσπάζεται (above, § 18, note 8) καὶ δακτυλίους φοροῦντες ἐν ταῖς χερσὶν οἱ Ἐπίσκοποι, ὡς δῆθεν γνναῖκας τὰς Ἐκκλησίας λαμβάνοντες, τὸν ἀφιβάσων φορεῖν λέγοντο (above, § 24, note 4). καὶ εἰς πολέμους δὲ ἐξίοντες, αἷμασι τὰς ἐαυτῶν χεῖρας χραίνοντο (above, § 24, note 6)—ὡς δέ τινες ἡμᾶς διεβεβαιώσαντο, καὶ τὸ θεῖον βάπτισμα ἐπιτελοῦντες, τὸν βαπτιζομένους βαπτίζοντο εἰς μίαν κατάδυσιν (this was really a custom in Spain, Gregor. Mag. lib. i. Epist. 41, Conc. Tolet. iv. ann. 633, can 6, condemned by Alcuin Epist. 75, justified by Walafrid Strabo de Reb. eccl. c. 26).—ἀλλὰ καὶ ἀλατὸς πρὸς τοὺς ο τὰ τῶν βαπτιζομένων πληροῦντι στόματα.—Instead of Μικρὰ ζύμη ὅδον τὸ

oriental patriarchs joined with the Constantinopolitan; and thus the Christian east separated from the west forever.¹¹

φύραμα ζυμοῖ, they read, 1 Cor. v. 6, and Gal. v. 9, φθείρει (Vulg. has corrupit), for the purpose of defending their unleavened bread. 'Αλλ' οὐδὲ τὰ λειψανα τῶν Ἀγίων ὑνέχονται προσκυνεῖν· τινὲς δὲ αὐτῶν οὐδὲ τὰς ἀγίας εἰκόνας (see above, § 11), οὐτε μὴν τὸν ἄγιον καὶ μεγάλους Πατέρας ἡμῶν,—τὸν τε θεολόγον οημὶ Γρηγόριον καὶ τὸν μέγαν Βασιλεῖον καὶ τὸν Θεόν Χρυσόστομον τοῖς λοιποῖς συναριθμοῦσιν 'Αγίοις, ή ὅλως τὴν διδαχὴν αὐτῶν καταδέχονται. More rational and moderate is the judgment of Peter, patriarch of Antioch, in his reply to Michael (ap. Cotelerius, l. c. p. 145, ss.) respecting this controversy: p. 149: "Οσα δὲ σοι καὶ ἀπτρίθηται Ψωμαϊκὴ ἐλαττώματα μετήλθομεν· καὶ τὰ μὲν τούτων ἔδοκει ἀπενκταῖ καὶ φεντά, τὰ δὲ λάσιμα, τὰ δὲ παροράσεως ἄξια. τί γὰρ πρὸς ἡμᾶς τὸ ξυράσθαι τοὺς ἀρχιερεῖς τοὺς πώγωνας, καὶ δακτυλοφορεῖν αὐτούς, κ. τ. λ.;"—P. 152: Κακὸν δὲ καὶ κεκῶν κάκιστον, ή ἐν τῷ ἀγίῳ συμβόλῳ προσθήκῃ. P. 153: 'Αλλ' ὡς ἔοικεν ἀπώλεσαν Ψωμαῖοι τὰ ἀντίγραφα τῆς ἐν Νικαίᾳ πρώτης συνάδου, ολα τῆς Ψώμης ἐπὶ πολὺ τὸν τῶν Οὐανδάλων ἔθνους κυριαρχήσαντος· παρ' ὅν ἵσως καὶ ἔμαθον ἀρεταῖς, καὶ εἰς μίαν κατάδυσιν, εἰ τοῦτο ἀληθὲς, ὡς ἔδήλωσας, τὸ βάπτισμα ἐπιτελεῖν. P. 154: Καλὸν γὰρ πρὸς τὸ καλοθελές ὄρωντας ἡμᾶς, καὶ μᾶλλον ἐνθα μὴ θεὸς η πίστις τὸ κινδυνεύομενον, νεύεν αἱρεῖ πρὸς τὸ εἰρηνικόν τε καὶ φιλάδελφον· ὕδελφοι γὰρ καὶ ἡμῶν οὗτοι, καν ἐξ ἀγροκίας η ἀμάθιας συμβαίνη τούτους πολλάκις ἐκπίπτειν τοῦ εἰκότος, τῷ ἑαυτῶν στοιχοῦντας θελήματα. καὶ μὴ τοσαύτην ἀκρίβειαν ἐπιζητεῖν ἐν βαρβάροις ἔθνεσιν, ήν αὐτοὶ περὶ λόγους ἀναστρεφόμενοι ἀπαιτούμεθα. P. 157: Περὶ γὰρ τῆς ἐν τῷ ἀγίῳ συμβόλῳ προσθήκης, καὶ τοῦ μὴ κοινωνεῖν αὐτοῖς τῶν ἀγιασμάτων ἀπὸ γεγαμηκότος ἱερέως, καλῶς καὶ θεοφίλως ἡ ἀγιωσύνη σου ἐνίσταται· καὶ μὴ πανσάιτο ποτε περὶ τούτον ἐνισταμένη καὶ πειθούσα,—μέχρις ἀν αὐτοὺς ἔξεις συντιθεμένον τῇ ἀληθείᾳ.—τὰ δὲ ἄλλα περιφρονητέα μοι εἶναι δοκεῖ, τοῦ τῆς ἀληθείας λόγου μηδὲν ἐξ αὐτῶν καταβλαπτομένον. In like manner Theophylact, archbp. of Bulgaria, about 1078, in his Lib. de iis in quibus Latini accusantur (prim. ed. in Jo. Aloys. Mingarelli Anecdotorum fasc. Romae. 1756. 4. p. 257, ss.), with bitter complaints both against the passionateness of the Greeks, and the proud obstinacy of the Latins. Ex. gr. p. 283: Καὶ τοῖς δυτικοῖς τοίνυν εἴ τι μὲν περὶ τὸ δόγμα διαμαρτάνεται τὴν πατρικὴν πίστιν σαλεύον, οἷον δὴ τὸ ἐν τῷ συμβόλῳ περὶ τοῦ ἀγίου Πνεύματος προστιθέμενον· ἐνθα δὲ κινδυνος μέγιστος, καὶ τοῦτο μὴ διορθώσεως ἀξιόνεμον δ συγχωρῶν, ασυγχώρητος· καν ἀπὸ τοῦ θρόνου τοὺς λόγους ποιῶνται, δὲ ὑψηλὸς προτιθέσαι· καν την τοῦ Πέτρου ὄμολογίαν προβάλλονται· καν τὸν ἐπ' ἐκείνην μακάρισμὸν περιφέρωσι· καν τὰς κλεῖς τῆς βασιλείας ἡμῖν ἐπισείων· οἰς ὄσφι τιμὰν ἐκείνους δοκοῦσι, τοσοῦτον ἐαντοὺς ἀτιμάζουσιν, ἀ ἐκείνος ἡδρασεν αὐτοὶ καταλύνοντες, καὶ τοὺς θεμελίους ὑποσπῶντες τῆς ἐκκλησίας, ἦν ἐκείνος ἀνέχειν πιστεύεται.—P. 286: Οὐ τούτων οὐτε περὶ τῶν ἀζύμων, οὐτε περὶ τῶν νηστειῶν ἀντισκληρωνθησόμεθα τῷ ἀκαμπεῖ τοῦ ἔθνους φρονήματι·—οὐδὲ πολλοῦ δεῖ περὶ τῶν ἀπτριθημένων λοιπῶν, ἀπερ ὄμολογοῦντες καὶ αυτοὶ τηρεῖν—δοκοῦσι πολλοῖς ἀσύγγνωστα σφύλλεσθαι. Ὡν μὴ συντίθεσθαι τοῖς λόγοις, ἀνδρός ἐστιν, ὡς οἵμαι, ταῖς ἐκκλησιαστικαῖς ἴστορίαις ἐγγυμνασθέντος, καὶ μαθόντος, ὡς οὐ πάντα ἔθος ἀποσχίζειν 'Εκκλησίας ἰσχύει, ἀλλὰ τὸ πρὸς διαφθορὰν ἄγον δόγματος, κ. τ. λ.

¹ The views of the Greeks of the highest rank in the hierarchy are expressed by the Patrician Baanes, imperial plenipotentiary at the genuine oecumenical council of 869, in the Latin Acts, act. viii. (Mausi, xvi. 140): Posuit Deus Ecclesiam suam in quinque patriarchias, et definit in Evangelii suis, ut nunquam aliquando penitus decidant, eo quod capita Ecclesiae sint. Etenim illud quod dicitur: et portae inferi non praevalebunt adversus eam (Matth. xvi. 18), hoc denunciat, quando duo cederint, currunt ad tria; cum tria cederint, currunt ad duo; cum vero quatuor forte cederint, unum, quod permanet in omni capite Christo nostro, revocat iterum reliquum corpus Ecclesiae. Cf. Petri Antioch. Epist. ad Dominicum Archiep. Gradensem (in Cotelerii Mon. Eccl. Gr. ii. 114): Πέντε ἐν δύο τῷ κόσμῳ ὑπὸ τῆς θείας ὥκονομήθη χάριτος εἶναι Πατριάρχας,—ἀλλ' οὐδὲ τούτων ἔκαστος κυρίως Πατριάρχης καλεῖται· καταχρηστικῶς δέ. ἀνακηρύττονται δέ, ο μὲν ἀρχιερεὺς τῆς Ψώμης Πάπας, ο δὲ Κωνσταντινουπόλεως Αρχιεπίσκοπος, ο δὲ Ἀλεξ-

SECOND CHAPTER.

INTERNAL CONDITION OF THE GREEK CHURCH.

§ 43.

The dependence of the church on the court, its cabals and changes, still continued (see above § 2),¹ and therefore it could never regain a peculiar life of its own.

When science, or, more properly, only scientific industry in compilation, was favored once more under the Macedonian emperors *Basilius Macedo* (867–886), *Leo Philosophus* († 912), *Alexander* († 913), *Constantine Porphyrogennetos* († 959),

ανδρείας Πάπας, καὶ ὁ τῶν Ἱεροσολύμων Ἀρχιεπίσκοπος· μόνος δὲ ὁ Ἀντιοχείας ἴδιαζόντως ἐκληρώθη Πατριάρχης ἀκούειν καὶ λέγεσθαι.—*τὸ σῶμα τοῦ ἀνθρώπου ὑπὸ μιᾶς ἄγεται κεφαλῆς, ἐν αὐτῷ δὲ μέλη πολλά· καὶ πάντα ὑπὸ πέντε μόνον οἰκονομεῖται αἰσθήσεων.*—*καὶ τὸ σῶμα δὲ πάλιν τοῦ Χριστοῦ, ἡ τῶν πιστῶν λέγω Ἐκκλησίᾳ, —ὑπὸ πέντε αἰσθήσεων οἰκονομούμενον, τῶν εἰρημένων μεγάλων θρόνων, ὑπὸ μιᾶς ἄγεται κεφαλῆς, αὐτοῦ φημὶ τοῦ Χριστοῦ.* About 870 this comparison was also allowed in Rome, see *Anastasii Praef. in conc. viii. generale* (*Mansi*, xvi. 7): *Cum Christus in corpore suo, quod est Ecclesiae, tot patriarchales sedes, quot in cuiusque mortali corpore sensus, locaverit; profecto nihil generalitati deest Ecclesiae, si omnes illae sedes unius fuerint voluntatis, sicut nihil deest motui corporis, si omnes quinque sensus integræ communisque fuerint sanitatis.* Inter quas videlicet sedes quia Romana praecepsit, non immerito visu comparatur: qui profecto cunctis sensibus praeeminet, acutior illis existens, et communionem, sicut nullus eorum, cum omnibus habens. But the Greeks did not acknowledge such a pre-eminence of the Romish patriarch, comp. *Nilus Doxopatrius*, in his (written A.D. 1143) *τάξις τῶν πατριάρχικῶν θρόνων* (in *Steph. le Moyne Varia sacra*, ed. 2. *Lugd. Bat.* 1694. i. 211, ss.), who also uses that comparison, but in reference to that Roman pretension remarks, p. 242: *'Ορᾶς ἅπως ὑπὸ τοῦ παρόντος κανόνος* (can. Chalced. 28, see Vol. I. Div. II. § 93, note 14), *προφανῶς ἐλέγχονται ληροῦντες οἱ λέγοντες προτιμηθῆναι τὴν Ῥώμην διὰ τὸν ἄγιον Πέτρον.* *Ίδοι γὰρ, προφανῶς ὁ κανὼν οὗτος—Φησὶ “διὰ τὸ εἶναι τὴν Ῥώμην βασιλείαν, ἔχειν τὴν προτιμησιν”—ἐπεὶ δὲ ἐπανόσθη τοῦ εἶναι βασιλισσα—ἐκπεσούσα τῆς βασιλείας ἐκείνης, ἐκπίπτει καὶ τῶν πρωτείων.* P. 245: *Διὸ καὶ ὁ Πατριάρχης Κωνσταντινουπόλεως ὑπογράφει Ἀρχιεπίσκοπος Νέας Ῥώμης καὶ οἰκουμενικὸς Πατριάρχης.* ἐπεὶ γὰρ ἐλαβε τὰ πρεσβεῖα καὶ τὰ προνόμια τῆς Ῥώμης· *βασιλισσα γὰρ ἡ Ῥώμη ἡν τῆς οἰκουμένης πρότερον, εἴτα πάλιν ὑστερον ἡ Κωνσταντινούπολις* (cf. *Nicol.* I. Ep. lxx. ad *Hincmar.* above, § 41, note 6). This is also the view of the later Greeks. See *Anna Comnena Alexiados* lib. i., *Joannes Cinnamus Histor.* lib. v. c. 10, *Nilus Archiepisc.* *Thessal.* de *Papae primatu* lib. ii., *Ballaenus Mon.* de *Papae principatu*, c. 5 et 6, and also *Joannes Zonaras*, *Theodorus Balsamo*, and *Alexius Aristenus* in their scholia on the conc. Chalced. xxviii.

¹ The new civil legislation of Basil and Leo (*Βασιλικαὶ διατάξεις* or *βασιλικά* in 60 books) comprehended, like the older, ecclesiastical relations also. So too the 113 novellae *constitutiones* or *ἐπανορθωτικαὶ καθάρσεις* of Leo (among others in the *Corpus juris civilis* ed. Spangenberg, ii. 673, ss.) and the *διατάξεις* of the following emperors (ibid. p. 773, ss.)

theology also gained by that means useful collections;² but no independent or new impulses. *Photius* († about 891)³ deserves distinction beyond all scholars of the time. *Simeon Metaphrastes* (about 900)⁴ devoted himself to the history of the saints; *Eutychius* (*Said Ibn Batrik*), patriarch of *Alexandria* († 940),⁵ to general and ecclesiastical history; *Oecumenius*, bishop of *Tricca* (about 990),⁶ to exegesis.

² Heeren's Gesch. d. klass. Literatur in Mittelalter. Th. i. (Histor. Werke Th. 4.) S. 138, ff.

³ His works are *Bibliotheca* (prim. graece ed. Dav. Hoeschelius. August. Vind. 1601, fol. gr. et lat. Andr. Schott. Genev. 1613, and Rothom. 1653, fol. ex rec. Imm. Bekkeri. Berol. 1824. t. ii. 4).—*Σύνταγμα κανόνων* (in the *Spicilegium Rom.* vii. ii. 1), put together according to an arrangement of subjects in fourteen titles. To it is attached the *Νομοκάνων* (cum comm. Theod. Balsamonis in H. Justelli Biblioth. juris can. vet. ii. 785, ss.), in which there is first a short reference to the canons in the *Syntagma*, but afterward the laws relating thereto are adduced, and explanations appended. It is according to Biener in his *Zeitschrift für geschichtliche Rechtswissenschaft*, vii. ii. 148, the revision of an older work. Comp. his *Gesch. d. Novellen Justinian's.* Berlin. 1824. S. 202, ff. Ejusd. de *Collectionibus canonum Eccl. Graecae schediasma.* Berol. 1827. p. 21, ss.—*Διήγησις περὶ τῶν νεοφάντων Μανιχαίων ἀναβλαστήσεως*, libb. iv. (see above, before § 3). *Epistolae* ed. Rich. Montacutius. Lond. 1651. fol.—'Αμφιλόχια or 'Αμφιλόχεια, 313 theological elucidations, mostly of passages from the Bible, addressed to Amphilius, metropolitan of Cyzicus, have been in part published, about a half, viz. 65 in the collection of letters ed. Montacutii, 7 in *Canisii Lect. ant.* ed. Basnage, ii. ii. 420, 2 by Combefis., 4 in *Montfaucon Catal. bibl. Coisl.* p. 346, 46, in *Wolfi Curiae philol. et crit. v.* 651, 18, by Angelus Scotus in Naples, 20 in *Angeli Maji Scriptorum vett. nova collectio*, i. 193, comp. *Fabričias-Harles*, xi. 25. A. Maji praef. p. xxxvi. ss. Among the unprinted works of Photius several controversial ones against the Latins (see *Cave Hist. Lit.* ii. 49, s. A. Majus, l. c. p. xliv.) and his *Commentarius in Pauli Epistt.* (MS. in Cambridge) are to be noted. Cf. *Fabričii Bibl. Graeca*, ix. 369, ss. (ed. Harles, x. 670, ss.).

⁴ He has left 122 *vita* Sanctorum, many more are spuriously ascribed to him (see *Leo Allatii Diatr. de variis Simeonibus et Simeonum scriptis.* Paris. 1664. 4. p. 124), in part Latin, ap. Surius, Greek and Latin in the *Actis SS.* Antwerp., partly still unprinted. Different opinions about Simeon's period: Oudinus de *Scriptt. eccl.* ii. 1302, ss., places him in the twelfth century. On the other side, *Cave Scriptt. eccl. hist. liter.* ed. Basil. 1745, ii. 88. Comp. Hanke de *Byzantinarum rerum scriptt.* p. 418, ss. *Fabričii Bibl. Gr.* ix. 48 (ed. Harles, x. 180).

⁵ From him we have the Arabic *Contextio gemmarum*, s. *Annales ab orbe cond. ad annum usque 940*. An extract from it *Origines Alexandrinae*, ed. J. Seldenus. Lond 1642. 4. The whole ed. E. Pocockius. Oxon. 1659. 4.

⁶ Comm. in *acta Apost.* *Epist. Pauli et Epist. catholicae*, ed. Frid. Morellus. Paris. 1631, t. ii. fol. Cf. Rich. Simon *Hist. crit. des principaux commentateurs du N. T.* c. 32. p. 460.

THIRD CHAPTER.

SPREAD OF CHRISTIANITY

§ 44.

Muhammedanism now thwarted the farther progress of Christianity even in the eastern boundaries of Europe. The *Bulgarians* on the *Danube* had, indeed, been won over to the Gospel;¹ but those on the *Volga* were soon after gained to Islamism.² Among the *Chazari*, both religions took root about the same time.³ On the other hand, the *Slavonians* dwelling in the interior of Hellas and the Peloponnesus, gradually subdued since 783, now adopted Christianity, especially after the conversion of the Bulgarians;⁴ in like manner, too, the *Mainots*.⁵ The

¹ See above, § 41, note 8.

² The Chalif Muktedir sent thither, 921, Ibn-Fosslan, to complete the introduction of Muhammedanism, agreeably to the request of the Bulgarian king. Comp. the accounts of Ibn-Fosslan and other Arabians respecting the Russians of older time by C. M. Frähn. Petersburg. 1823. 4. Vorr. S. lii. ff. and lvi.

³ Regarding the spread of Christianity among them by Cyril, about 850, see the contemporaneous vita Constantini cum translat. Clementis (see above, § 38, note 2), § 1. To the emperor Michael, Cazarorum legati venerunt, orantes ac supplicantes, ut dignaretur mittere ad illos aliquem eruditum virum, qui eos fidem catholicam veraciter edoceret, adjacentes inter caetera, quoniam nunc Judaei ad fidem suam, modo Saraceni ad suam nos convertere e contrario moluntur. The emperor had sent Constantinus Philosophus (Cyril), and the latter, § 6, praedicationibus et rationibus eloquiorum suorum convertit, omnes illos ab erroribus, quos tam de Saracenorum quam de Judeorum perfidia retinebant. On this account they had thanked the emperor, affirmantes se ob eam rem imperio ejus semper subditos et fidelissimos de caetero velle manere. However, Ibn-Fosslan in his journey, 921, among the Chazari, found as many Muhammedans as Christians, and, besides, Jews and idolaters. Their prince (Chakan) was a Jew. See Frähn in the Mémoires de l'Académie des sciences de St. Petersbourg, tome viii. (1822), p. 589, ss. The same thing is related by the geographers, Massudi, A.D. 943, and his contemporary, Ibn Haukal, whose paragraphs concerning the present topic are translated in Jul. v. Klaproth's description of the Russian provinces between the Caspian and Black Seas. Berlin. 1814. S. 196, ff. 262, ff. Comp. Jost's Gesch. d. Israeliten, vi. iii. According to Elmacin († 1273) Hist. Sarac. p. 62, Islamism had been forced as early as 690 p.c. on a part of the army of the Chazari, vanquished by the Arabians. According to Ibn-el-Asir († 1233) they adopted it first in 868, for the purpose of obtaining help against the Turks. See Frähn in the Mémoires de Petersb. viii. 598, and the same writer's Ibn-Fosslan, preface. S. ix.

⁴ Comp. Vol. I. Div. II. § 109, note 3. On their subjugation see Fallmerayer's Gesch. der Halbinsel Morea während des Mittelalters, i. 216. Zinkeisen's Gesch. Griechenland's, i. 752. On their conversion, Fallmerayer, i. 230. Zinkeisen, i. 767.

⁵ Constantini Porphyrog. de Administr. imperio, c. 50 (Constant. Porphyr. recogn. Imm.

Byzantines were not less successful in the conversion of the Russians to Christianity. The baptism of the grand Duchess *Olga* (955)⁶ did not decide the matter; but after her grandson *Vladimir* (Wassily) had become a Christian (988), he caused his Russians to be baptized in crowds in the Dnieper.⁷ Under his successors *Jaroslav* (1019–1054)⁸ and *Isaestlav* (1054–1077), Christianity was firmly established in Russia. Under the latter, the celebrated monastery of the cave at Kiew was founded by *Anthony*;⁹ in which the first Russian annalist *Nestor* appeared.¹⁰

THIRD PART.

HISTORY OF HERETICAL PARTIES.

§ 45.

HERETICS IN THE EAST.

(See the literature before § 3).

After *Karbeas*, the Paulicians received in his son-in-law *Chrysocerous*, an equally bold leader, who continued to invade the Byzantine territories, at first with no less success; and in 867 reached as far as Ephesus.¹ But after he had been overpowered by the Greeks on returning from such an invasion, and cut off with his army (871); the Paulicians were compelled to

Bekker, vol. iii. Bonnae. 1840. p. 224): Οἱ τοῦ κύστρου Μαΐνης οἰκήτορες—μέχρι τοῦ νῦν παρὰ τῶν ἐντοπίων Ἐλληνες προσαγορεύονται διὰ τὸ ἐν τοῖς προπάλαιοῖς χρόνοις εἰδώλολάτρας εἶναι καὶ προσκυνητὰς τῶν εἰδώλων κατὰ τοὺς παλαιοὺς Ἐλληνας, οἵτινες ἐπὶ τῆς βασιλείας τοῦ ἀοιδίμον βασιλείου βαπτισθέντες Χριστιανοὶ γεγόνασιν. Fallmerayer, i. 137. Zinkeisen, i. 769.

⁶ Nestor in Schröder's Uebers. v. 58, ff. (his commentary especially should be compared). Zonaras, lib. xvi. c. 21, ed. Paris, p. 194. Cedrenus, p. 636, in whom she is called "Ελγα. Karamsin's Geschichte des Russ. Reichs, übers. v. F. v. Hauenschild (Riga. 1820, ff. 5 Bde.) i. 136, ff. Ph. Strahl's Geschichte der russischen Kirche (Halle. 1830), S. 51, ff. ⁷ According to Nestor, see Karamsin, i. 168, ff. Strahl. S. 58, ff.

⁸ Karamsin, ii. 21, 28. Strahl. S. 86, ff. ⁹ Karamsin, ii. 71. Strahl. S. 96, ff.

¹⁰ Nestor's Annals with translation and remarks by A. L. v. Schröder. Göttingen. 1802–1809. 5 Th. 8. (The edition unfortunately extends only to the commencement of the reign of Vladimir). On Nestor's life see Schröder, i. 3, ff. On the state of his Annals, i. 10. v. 4, remarks. They reach to 110. Schröder, i. 15. Karamsin, ii. 61, remarks.

¹ Jos. Genesii (about 940) Regum lib. iv. (ed. Lachmann. Bonnae. 1834, p. 120, ss.)

be subject to the emperor *Basil*, the Macedonian.² Finally, *John Tzimisces* removed a great part of them to the neighborhood of Philippopolis, in Thrace (970), as border-watchers, where they were allowed religious freedom.³

Thus not only the Paulicians spread themselves thence,⁴ but that country became the asylum of all parties who were persecuted elsewhere. Among them the *Euchites* or *Messalianians* now emerged once more; a party who had given evidence of their existence for centuries past only in individual traces.⁵ It was

² Theophanes Contin. lib. v. de Basilio Mac. c. 37, ss. Genesius, p. 123, ss.

³ Zonaras, lib. xvii. p. 209, ed. Paris. This is copiously described by Anna Comnena (1148) in Alexiade, lib. xiv. p. 450, ss. ed. Paris, especially p. 453: 'Ο δέ Τζιμισκῆς Ἰωάννης τοὺς ἐκ Μανιχαϊκῆς αἱρέσεως ἀντιμάχους ἡμῖν ποιησάμενος συμάχους, κατά γε τὰ δόπλα, ἀξιομάχους δινάμεις τοῖς νομάσι τούτοις Σκύθαις ἀντέστησε, καὶ τὸ ἐντεῦθεν ἀπὸ τῶν πλειονῶν καταδρομῶν ἀνέπινε τὰ τῶν πόλεων. Οἱ μέντοι Μανιχαῖοι φύσει ὄντες ἐλεύθεροι καὶ ἀννηπότακτοι, τὸ εἰλικὸς ἐποίουν, καὶ εἰς τὴν φύσιν ἀνέκαμπτον. Πᾶσα γὰρ ἡ Φιλιππούπολις, πλὴν διλίγων, ὄντων Μανιχαίων, τῶν τε ἀντόθι Χριστιανῶν ἔτεράννονν, καὶ τὰ τούτων διήρπαζον, μικρὰ φροντιζούτες ἢ σὸνδεν τῶν ἀποστελλομένων παρὰ βασιλέως. Ήντανε τοινν, καὶ τὰ κυκλῷ Φιλιππουπόλεως πάντα ἥσαν αἱρετικοί. Συνεισέβαλε δὲ καὶ τούτοις ἑτερος ποταμὸς ὁ τῶν Ἀρμενιῶν ἀλμυρὸς, καὶ ἄλλος ἀπὸ τῶν θολεροτάτων πηγῶν Ἰακώβον, καὶ ἵν, ὡς οὕτω γε φάναι, κακῶν ἀπάντων μισγάγεια. Καὶ τὰ μὲν δόγματα διεφώνουν, συνεφώνουν δὲ ταῖς ἀποστασίαις οἱ ἄλλοι τοῖς Μανιχαίοις.

⁴ That they did much for this purpose may be seen in Petri Sicai's dedication of his history (see preface to § 3) to the archbishop of the Bulgarians: *Xροντριβῆσας τοινν—πρὸς τοὺς Παντικαιανοὺς ἐν Τιβρικῇ* (nine months, 868)—τῶν ἀσεβῶν ἐκείνων ἀκούσις φληναφούντων, ὡς μέλλονταν ἐξ αὐτῶν ἐκείνων ἀποστελλεῖν ἐν τοῖς τόποις Βουλγαρίας τοῦ ἀποστῆσαι τινας τῆς ὄρθοδοξῶν πίστεως, καὶ πρὸς τὴν οἰκεῖαν καὶ μεμαμένην αἱρεσιν ἐπισπάσασθαι· τὴν ἀρχὴν τοῦ θείου κηρύγματος θαβήσοντες καὶ οἰόμενοι, ὡς εὐκόλως δυνῆ σονται, τῷ ἀδήλῳ καὶ ἀληθινῷ σίτῳ τὰ οἰκεῖα σπεῖραι ζῆσσαι. Εἰλθαστ γὰρ τοῦτο πολλάκις ποιεῖν οἱ ἀνόστοι, καὶ πολλοὶς κόπους καὶ κινδύνους προθύησθαι πρὸς τὸ μεταδύνονται τῆς οἰκείας λοιμῆς τοῖς παρατυγχάνοντοι.

⁵ The basis of the Euchite doctrine was the opinion, that a demon dwells in every man from his birth, who can only be expelled by unceasing prayer (Vol. I. Div. II. § 95, note 39), an opinion, which, so far as it led to an excessive estimate of the power of the devil, and to a contempt of ecclesiastical worship, certainly bordered on Manichaeism. As it originated with the monks who believed that they continually had to fight with the devil and to conquer him by prayer, and who accustomed themselves in their solitude to dispense with ecclesiastical worship (comp. l. c. note 37); it subsequently too was fostered by an overstrained monachism, and had its secret firm points in the concealment of many convents (Theodoreti Hist. eccl. iv. 10: Letojus saw πολλὰ τῆς νόσου ταύτης σπάσαντα μοναστήρια. Hist. religiosa, c. 3. Opp. ed. Halens. iii. 1146: Εὐχίτας ἐν μοναχικῷ προσχήματι τὰ Μανιχαῖων νοσοῦντας. Concil. Ephesini, ann. 431, definitio contra Messalianos, act. vii. Mansi, iv. 1477: [Messaliani] convicti non permittantur habere monasteria, ut νοζίζαντα diffundantur et crescant. Jo. Damasc. de Haeresibus, c. 80: Μασσαλιανῶν, τῶν μάλιστα ἐν μοναστηρίοις εὑρισκομένων). The Euchites arose in Mesopotamia, withdrew to Syria, and from thence, toward the end of the fourth century, to Pamphylia (Theodoreti Hist. eccl. iv. 10). In the fifth century, they were found in Syria (Hierou. Dial. adv. Pelagian. prooem.), in Pamphylia and Lycaonia (Conc. Ephes. definitio l. c.); in the sixth and seventh centuries among the Nestorians in Mesopotamia (Assemani Bibl. orient. iii. ii. 172), and under Justinian and Justin II. in the Greek empire (Timoth. Presb. de receptione haereticorum in Cotelerii monum. Eccl. Graecae, iii. 400). In the eighth century, John

a necessary consequence that the near residence of these parties should have an influence on their internal development also.

Damascenus speaks of them as still existing (*de Haeresibus*, c. 8, in *Cotelerii Monum. Eccl. graecae*, i. 302). In like manner in the ninth century, Photius (*Bibl. cod. 52*: Καθὼς καὶ ἡμεῖς—πολλὴν σηπεδόνα παθῶν καὶ κακίας τὰς ἐκείνων φυχὰς ἐπιβοσκομένην ἀωράκαμεν). Comp. generally Walch's *Ketzerhist.* iii. 500. Engelhardt's *Kirchengeschichte Abhandlungen*, S. 191. Amid their concealment one can scarcely wonder, when in the sixth century, the western *Facundus pro Detens.* iii. capitul. viii. 7 (*Gallandii Bibl. xi.* 755) reckons the Messalianians as heretics, quorum nomina abolita sunt cum haeresibus suis. In the eleventh century they again appear openly in Thrace. Georg. *Cedrenus* (about 1060) *Historiarum comp. ed.* Bonn. i. 514, relates how Flavianus, bishop of Antioch, toward the end of the fourth century, expelled the Euchites, ἀφ' ὧν ὁ μέγας Φλαβιανὸς μοναχοὺς συναθροίσας πολλούς—διῆλεγξεν, from Syria: εἰς δὲ τὴν Παρφύλιαν ὑνεχώρησαν καὶ ταύτην τῆς λαβῆς ἐπλήρωσαν, νῦν δὲ σχεδὸν εἴπειν καὶ τὴν πλείονα δύσιν, i. e., the west of the Greek imperial empire, particularly Thrace. About the same time more definite particulars are given by Michael Psellus περὶ ἐνεργείας δαιμόνων διάλογος (cur. J. F. Boissonade. *Norimbergae*, 1838. 8). Here a Thracian, coming to Constantinople, relates the following, p. 2, respecting the party that had newly arisen there: Εὐχίτας αὐτὸς καὶ Ἐνθουσιαστὴς οἱ πολλοί καλοῦσιν.—Ἐχει μὲν τὸ πολαμναῖον τοῦτο δόγμα παρὰ Μάνεντος τοῦ μανέντος τὰς ἀφορμάς· ἔκειθεν γάρ αὐτοῖς αἱ πλειονὶς ἄρχαι, καθάπερ ἐπηγῆς τινος δυσώδους, ἐφρήνσαν. Ἀλλὰ τῷ μὲν ἐπαράτῳ Μάνεντι δύο ὑπετέθησαν τῶν ὄντων ἄρχαι·—Ἐνυχίτας δὲ τούτοις τοῖς κακοδαιμοῖσι καὶ ἐτέρᾳ τις ἄρχῃ προσελήψθη τρίτη. Πατὴρ γὰρ αὐτοῖς, νιοὶ τε δύο, πρεσβύτερος καὶ νεώτερος, αἱ ἄρχαι, ὡν τῷ μὲν πατρὶ τὰ ὑπερκόσμια μόνα, τῷ δὲ νεωτέρῳ τῶν νιῶν τὰ οὐράνια, θατέρῳ δὲ τῷ πρεσβύτερῳ τῶν ἐγκοσμίων τὸ κράτος ἀποτετάχασιν.—Οἱ μὲν—νέμουσιν ἀμφοῖν τοῖν νιοῖν τὸ σέβας· κανὸν γάρ προς ἀλλήλους διαφερεσθαι φασὶ νῦν, ἀλλ᾽ ὅμως ἀμφοὶ σεβαστέον, ὡς ἐκ πατρὸς ἐνὶς καταλλαγησμένους ἐπὶ τῷ μελλοντος. Οἱ δὲ θατέρω τῷ νεωτάρῳ λατρεύοντιν, ὡς τῆς κρείττονος καὶ ὑπερκειμένης μερίδος κατάρχοντι· τὸν πρεσβύτερον οὐν ἀτιμάζοντες μὲν, φυλαττόμενοι δὲ αὐτὸν ὡς κακοποιῆσαι δυνάμενον. Οἱ δὲ χειροῦς αὐτῶν τὴν ὑσέβειαν τοῦ μὲν οὐρανίου διεστῶσιν ἑαυτοῖς ἐπὶ πᾶν, αὐτὸν δὲ μόνον τὸν ἐπίγειον Σατανὰὴν ἐνστερνίζονται, τῶν τε ὄνομάτων τοῖς ἐνδημοτέροις ἀποσεμνύνοντες, πρωτότοκον τὸν ἀλλάτριον ἐκ πατρὸς καλοῦσι, φυτῶν τε καὶ ζωῶν καὶ τῶν λοιπῶν συνθέτων δημιουργὸν τὸν φθυροποιὸν καὶ ὀλέθριον. Ἀποθεραπεύειν δὲ αὐτὸν καὶ μᾶλλον ἔτι βουλόμενοι, φεῦ! ὅπόσα παροινοῦσιν εἰς τὸν οὐράνιον, φθονέροις τε λέγοντες εἶναι, τάδελφῷ παραλόγως διαφθορούμενον εὐ διακοσμοῦντι τὰ ἐπὶ γῆς, καὶ φθόνῳ τυφόμενον σεισμοὺς καὶ χαλάζας καὶ λοιμοὺς ἐπάγειν. Διὸ καὶ ἐπαρῶνται αὐτῷ ἄλλα τε καὶ τὸ πολαμναῖον ἀνάθεμα: Then it is related of them, that in their assemblies they practiced lewdness, murdered and burned the children there begotten, and partook of blood and ashes; a report which even the heathen circulated against the first Christians, the Catholics against many heretical sects, and which has always been revived where secret meetings consisting of both sexes appeared. How the doctrine which Psellus attributes to the Euchites, was developed among them, whether by the influence of the Zend religion, already in Syria, or by Gnostic influences, is uncertain. In the addictedness to contemplation which was peculiar to the Euchites, a manifold fantastic development of doctrine could not fail to appear. Hence, even toward the end of the eleventh century the Bogomiles took their rise from them. Comp. Walch and Engelhardt, l. c. Schnitzer: die Euchiten im 11ten Jahrh. in Stirm's *Studien der evangel. Geistlichkeit Wirtembergens*, xi. i. 169.

§ 46.

MANICHAEANS IN THE WEST.

J. C. Füsslin's Kirchen- u. Ketzerhist. der mittlern Zeit. i. 31. H. Schmid der Mysticismus des Mittelalters in seiner Entstehungsperiode dargestellt. Jena. 1824. 8. S. 387, ff. D. Chr. U. Hahn's Gesch. d. Ketzer im Mittelalter, Bd. 1. Gesch. d. neumanichäischen Ketzer. Stuttgart. 1845. 8.

Encouraged by the apparent downfall of the church, and doubts of its soundness which were spreading in consequence, the *Manichaeans*¹ again emerged from their obscurity, after the

¹ Contemporaries looked upon these heretics as sprung from the Manichaeans, and they themselves declared it as their own opinion. According to Roger, bishop of Chalons, between 1043 and 1048 (see below, note 7) they taught that the Holy Spirit is only vouchsafed through Manes. Comp. Ekberti (about 1163) adv. Catharos. serm. 1. (Bibl. PP. Lugd. xxiii. 602): Indubitanter secta eorum—originem accepit a Manichaeo haeresiarcha. Albericus (about 1241) Chron. ad ann. 1239 ed. Leibnit. p. 570: Invenit etiam frater Robertus, et secundum hoc publica terit opinio, quod ille Fortunatus Manichaeus pessimum, quem b. Augustinus de Africa expulit, venit eodem tempore ad illas partes Campaniae, et invenit Widomarum Principem latronum in eodem monte cum suis latitantem; hunc ad suam sectam cum sociis convertit, et a tempore illo circa montem illum in proximis villulis nunquam defuit semen istud pessimum Chanaan et non Juda. That in Italy, from which country this party had certainly transplanted themselves in the first place to France (see Glaber Radulphus, iii. c. 8, below, note 3, and acta syn. Attrebat. below, note 4), the Manichaeans also existed, according to Leo the Great (see Vol. I. Div. II. § 86, note 6), which is also testified by the notices in the biographies of Gelasius († 496), Symmachus († 514), and Hormisdas († 523) found in Anastasii Liber pontificalis, purporting that the popes had had to contend against the Manichaeans. Besides, their continuance till the time of Gregory the Great is established. See his lib. v. Ep. 8, ad Cyprianum Diaconum: De Manichaeis, qui in possessionibus nostris sunt, frequenter Dilectionem tuam admonui, ut eos persequi summopere debeat, atque ad fidem catholicam revocare. lib. ii. Epist. 37, ad Joh. Episc. Squillacinum: Afros passim vel incognitos peregrinos ad ecclesiasticos ordines tendentes nulla ratione suscipias: Quia Afri quidam Manichaei, aliqui rebaptizati. This last passage has been repeated for centuries at the induction of bishops. See liber diurnus cap. iii. tit. ix. 3. Gregorii II. Ep. ad clerum et plebem Thuringiae, A.D. 723 (Mansi, xii. 239), and also in the institution-documents set forth by Gerbert, archbp. of Capua, in the year 978 (in Ughelli Italia sacra, vi. 564), Athenulph, archbp. of Capua, A.D. 1032 (ibid. p. 676), and Alfanus, archbp. of Salerno, A.D. 1066 (Ughelli, vii. 802). In every case it is clear that even after Gregory the Great the Manichaeans were in Italy, and threatened danger to the Church; but the general account of this period agrees, to the effect that they again emerged from their obscurity about the year 1000, and spread themselves from Italy into other countries. It has been attempted, however, to deduce them from other sources. These new Manichaeans are derived from the Priscillianists in the *Histoire générale de Languedoc*, i. 148, and by H. Leo Lehrbuch der Gesch. des Mittelalters, S. 79. It is the most common opinion, however, after Muratori Antiquit. medii aevi, v. 83; Mosheim Instit. hist. eccl. p. 463; E. Gibbon's Decline and Fall of the Roman Empire, chap. 54, that these new western sects sprung from the Paulicians. Neander (Kirchengesch. iv. 457) has modified this view by considering the Euchites as their proper progenitors. The origin of the new Manichaeans from a Greek party appears to be favored by Evervini

commencement of the eleventh century ; a few remains of them having been still preserved in Italy ; and diffused themselves in the west. Similar manifestations present themselves in earlier times.² But the *Manichaeans*, properly so called, were first

Epist. ad Bernardum. A.D. 1146 (Mabill. Annal. p. 473) : Illi vero, qui combusti sunt, dixerunt nobis in defensione sua, hanc haeresin usque ad haec tempora occultatam fuisse a temporibus Martyrum, et permansisse in Graecia et quibusdam aliis terris. So also Reinerius († 1259) summa de Catharis et Leonistis in Martene Thesaur. aneedot. v. 1767, where he mentions the 16 Catharian churches, and among them last of all the Ecclesia Bulgariae and the Eccl. Dugunthiae (s. Dugunthiac s. Dugranicae) adding : Et omnes habuerunt originem de duabus ultimis. Then it may be also adduced in favor of this opinion that in the 13th century Bulgari, Bulgri, Bogri, French Bourgres, were the usual appellations of these heretics. See Monachus Antissidorensis, Albericus and Matthaeus Paris. On the other hand it is to be observed, that at the first appearance of the sect in France it was derived from Italy, and not till more than a century later, from Greece and Bulgaria. Farther, that the new western Manichaeism was very different from Paulicianism in many essential points, and rather approached the old Manichaeism by the rejection of marriage and flesh-eating, the distinction of the Electi and Auditores, and a proper hierarchy, for even Manes, whom the Paulicians cursed (Petrus Sicul. p. 42 : προθνμως ἀναθεματιζοντι Σκυθιανόν. Βούδαν τε και Μανέρτα, cf. Photius, i. c. 4), stood in high repute among the western Manichaeans. It is not the less to be remarked, that even the Euchites of the 11th century are distinguished from the western Manichaeans in this, that according to them the perfect had to abstain from no food (Cedrenus, i. 515, μηκέτι δεισθαι λουπῶν νηστείας) : and that the Bogomiles who sprung from them subsequently, first adopted the principles of the western Manichaeans on this point. Since then these sects, in such times as they vegetated in retirement, without progress, would naturally abide most firmly by such external usages, we may certainly conclude from those relations that their origin was different. It is not till after the crusades that the western Manichaeans and those Greek sects appear to have become known to one another as cognate parties, and to have borrowed many things from one another, so that in the 12th century in the east, the Bogomiles, and among the western Manichaeans the Concorrezensians appeared to agree completely in doctrine and usages. Hence therefore the tradition might originate among the western Manichaeans that their party had existed in the East from the beginning, in the same manner as similar false traditions respecting their own origin arose among the Waldenses.—The western Manichaeans, when they emerged from their obscurity in the 11th century, had only preserved the most general features of their creed in addition to external usages ; but by degrees the old Manichaeian doctrinal system again appeared among them in greater completeness, though occasionally with peculiarities. If the source from which they may have derived it again be inquired after, none other can be pointed out than Augustine's writings against the Manichaeans. Since, very early, ecclesiastics are found among the heads of the party, to whom the writings of Augustine were accessible, since they could not be indifferent to the Manichaeian fragments preserved in these writings, and to Augustine's account of the Manichaeian doctrine (comp. Ekberti adv. Catharos sermo i. in fine, A.D. 1163, in the Bibl. PP. Lugd. xxiii. 600 : Produnt autem semetipos quod sint de errore Manichaei, in eo, quod dicere solent, quod b. Augustinus prodiderit secreta eorum), a restoration and new development of the system from this source is very probable. As the Catholic Church honored in Augustine its chief teacher, so those who renounced that church, for this very reason, sought for the truth among his most decided opponents.

² Glab. Radulph. lib. ii. c. 11, relates of one Leutardus in the village Virtus in pago Catalaunico, A.D. 1000 : Terrified by a dream he had in the field, he came home, dimittens uxorem, quasi ex praecepto evangelico fecit divortium : egressus autem velut oratus intrans ecclesiam, arripiensque crucem et Salvatoris imaginem contrivit. He was looked upon as insane, but he maintained, universa haec patrare ex mirabili Dei revelatione. He

discovered in *Aquitania* and in *Orleans* (1022),³ much about

taught, decimas dare esse omnimodis superfluum et inane,—Prophetas ex parte narrasse utilia, ex parte non credenda. But against a bishop coepit—de Scripturis sacris testimonia sibi assumere.—In brevi ad se traxit partem non modicam vulgi. Finally, semet puto periturus immersit.—Cap. 12 of a Grammarian Vilgardus, who coepit multa turgide docere fidei sacrae contraria, dictaque poetarum per omnia credenda esse asserebat. He was executed. Plures etiam per Italiam tunc hujus pestiferi dogmatis sunt reperti, qui et ipsi aut gladiis aut incendiis perierunt. Ex Sardinia quoque insula, quae his plurimum abundare solet, ipso tempore aliqui egressi, partem populi in Hispania corruptentes, et ipsi a viris catholicis exterminati sunt. In Sardinia paganism sustained itself for a very long time (Vol. I. Div. II. § 109, note 9). The confession of faith which Gerbert, as archbishop of Rheims, 991, issued (Ep. 75, ap. Bonquet, x. 409), does not prove, as Hahn (Gesch. d. neumanichäischen Ketzer, S. 31) thinks, that Manichaeism existed in that country. Gerbert was doubtless accused in many ways by his numerous opponents, and therefore he set forth this confession agaist many heresies, expressly rejecting not only Manichaean but also Origenist and Novatian errors.

³ Three accounts by contemporaries. Ademarus (monk in Angouleme, about 1029) Chronic. (ap. Bouquet, x. 154) alone relates: Pauco post tempore (after 1018) per Aquitiam exorti sunt Manichaei, seducentes plebem, negantes baptismum sanctum et crucis virtutem, et quidquid sanae doctrinae est: abstinentes a cibis quasi monachi, et castitatem simulantes, sed inter scipos luxuriam omnem exercentes. Then, p. 159, the discovery and burning of ten canonici in Orleans, A.D. 1022, not 1017 (see A. Pagi ad ann. 1017, no. 1), concerning which see also Glab. Radulph. iii. c. 8 (ap. Bouquet, x. 35), and Gesta syn. Aurelianensis, an. 1017 (rather 1029, in d'Achery Spicileg. i. 604, ap. Mansi, xix. 376).—Glaber Rad.: Fertur a muliere quadam ex Italia procedente haec insanissima haeresis (he says of it before: diutias occulte germinata) in Galliis habuisse exordium, quae—seducebat quoscumque volebat, non solum idiotas et simplices, verum etiam plerosque, qui videbantur doctiores in clericorum ordine (Ademarus: those Canonici, qui videbantur aliis religiosiores, were decepti a quadam Rustico Petragoriensi).—Qui non solum in praedicta urbe, sed etiam in vicinis urbibus malignum dogma spargere tentabant, dum quendam sanae mentis in Rotomagorum civitate Presbyterum cupientes suae consortem facere vesaniae, missis legatis, qui ei omne secretum hujus perversi dogmatis explanantes doce- rent: dicebant nempe fore in proximum, in illorum scilicet dogma cadere populum universum. Thus they expressed themselves subsequently in the hearing they had before the king: Hoc enim diu est, quod sectam, quam vos jam tarde agnoscitis, amplectimur; sed tam vos quam caeteros cajuscunque legis vel ordinis in eam eadere exspectavimus: quod etiam adhuc fore credimus. Concerning their doctrines see Gesta synodi Aurelianensis, though merely from the relation of a novice, Arefastus. It was taught by the two heads of the sect, Stephanus and Lisojus: Christum de virginie Maria non esse natum, neque pro hominibus passum, nec vere in sepulcro positum, nec a mortuis resurrexisse,—in baptismo nullam esse scelerum ablutionem: neque sacramentum corporis et sanguinis Christi [effici] in consecratione sacerdotis. Sanctos Martyres atque confessores implorare pro nihilo ducebant. They had addressed him thus: Tractandus es a nobis ut arbor silvestris, quae translata in viridario, tamdiu aquis perfunditur, donec humo radicetur, dehinc spinis et rebus superfluis emundatur, ut postmodum terrae tenuis truncata sarculo, meliori inse- ratur ramusculo, quae postmodum fertilis sit mellifluo ponio. Itaque tu simil modo translatus de iniquo saeculo, in nostro sancto collegio aquis perfunderis sapientiae, donec informeris, et gladio verbi Dei vitorum spinis carere valeas, ac insulsa doctrina tui pec- toris ab antro exclusa, nostram doctrinam a S. Spiritu traditam mentis puritate possis excipere. Then: Procul dubio, frater, in Charybdi falsae opiniois hactenus cum indectis jacuisti.—Pandemus tibi salutis ostium, quo ingressus per impositionem videlicet manum nostrarum, ab omni peccati labe mundaberis, atque sancti Spiritus dono repleberis, qui Scripturarum omnium profunditatem ac veram dignitatem absque scrupulo te docebit. Deinde caelesti cibo pastus, interna satietate recreatus, videbis persaepe nobiscum visio- nes angelicas, quarum, solatio fultus cum eis quovis locorum sine mora vel difficultate,

the same time in *Arras* (1025),⁴ in *Monteforte*, near Turin

cum volueris, ire poteris: nihilque tibi deerit, quia Deus omnium tibi comes nunquam deerrit, in quo sapientiae thesauri atque divitiarum consistunt. Respecting the preparation of the heavenly food it is related: Congregabantur certis noctibus in domo denominata, singuli lucernas tenentes in manibus, ad instar letaniae daemonum nomina declamabant, donec subito daemonem in similitudine cuiuslibet bestiolae inter eos viderent descendere. Qui statim ut visibilis illa videbatur visio omnibus extinctis luminaribus, quam primum quisque poterat mulierem, quae ad manum sibi veniebat, ad abutendum arripiebat. Sine peccati respectu, et utrum mater, aut soror, aut monacha haberetur, pro sanctitate et religione ejus concubitus ab illis aestimabatur. Ex quo spurcissimo concubitu infans generatus, octava die in medio eorum—in igne cremabatur. Cujus enim tanta veneratione colliebatur atque custodiebatur, ut christiana religiositas corpus Christi custodire solet, aegris dandum de hoc saeculo exituris ad viaticum. Inerat enim tanta vis diabolicae fraudis in ipso cinere, ut quicumque de praefata haeresi imbutus fuisse, et de eodem cinere, quamvis sumendo parum, paelibavisset, vix unquam postea de eadem haeresi gressum mentis ad viam veritatis dirigere valeret. So Ademar relates, l. c. Risticus—pulverem ex mortuis pueris secum deferebat, de quo si quem posset communicare, mox Manichaeum faciebat. Adorabant Diabolum, qui primo eis in Aethiopis, deinde Angeli lucis figuraione apparebat, etc. (On this report see § 45, note 5, comp. Baur, d. neuem manich. Religionssysteme, S. 138.) At this council these two heads say, respecting the birth of Christ from a virgin, and his resurrection: Nos neque interfuiimus, neque haec vera esse credere possumus.—Quod natura denegat, semper a-creacione discrepat. Quibus praesul respondit, dicens: Antequam quicquam fieret per naturam, non creditis per filium Deum patrem fecisse omnia ex nihilo? Cui alienati a fide dixerant: Ista illis narrare potes, qui terrena sapiunt, atque credunt figmenta carnalium hominum scripta in membranis animalium: nobis autem qui legem scriptam habemus in interiori homine a Spiritu sancto, et nihil aliud sapimus, nisi quod a Deo omnium conditore didicimus, incassum superflua et a divinitate devia profers: idcirco verbis finem impone, et de nobis quidquid velis facito. Jam regem nostrum in caelestibus regnante videmus, qui ad immortales triumphos dextera sua nos sublevat, dans superna gaudia.—Glaber Radulph, l. c.: Dicebant deliramenta esse quicquid in veteri ac novo Canone certis signis ac prodigiis veteribusque testatoribus de trina unaque Deitate beata confirmat auctoritas: caelum pariter ac terram, ut conspicuntur, absque auctore initii semper extitisse asserebant. Et cum universarum haerесium insanientes canum more latrantes deterrima, in hoc tantum Epicureis erant haereticis similes, quoniam voluntatum flagitiis credebant non recompensari ultionis vindictam: omne Christianorum opus, pietatis dumtaxat et justitiae, quod aestimatur pretium remunerationis aeternae, labore superfluum judicabant esse.

⁴ The only authority is Acta syn. Attrebatensis, ann. 1025 (in d'Achery Spicil. i. 607, ap. Mansi, xix. 423). These reply at the council, se esse auditores Gundulfi cuiusdam ab Italiae partibus viri, et ab eo evangelicis mandatis et apostolicis informatos, nullamque praeter hanc scripturam se recipere, sed hanc verbo et opere tenere. But the bishop had heard, illos sacri baptismatis mysterium penitus abhorgere, dominici corporis et sanguinis sacramentum respovere, negare, lapsis, poenitentiam post professionem proficere, Ecclesiam nullare, legitima connubia execrari, nullum in ss. Confessoribus donum virtutis spectare, praeter Apostolos et Martyres neminem debere venerari. In the pæfatio this is expressed thus: Dicebant, baptismatis mysterium et dominici corporis et sanguinis sacramentum nullum esse, et idcirco rejiciendum, nisi simulationis causa non intrare [leg. ministrarentur]: poenitentiam nihil ad salutem proficere: conjugatos nequam ad regnum pertinere (hence the charge brought against them, ap. Mansi, xix. 449: De connubiis vero, quae vos contra evangelica et apostolica decreta sacrilega mente abominanda judicatis, dicentes conjugatos in sortem fidelium nequaquam computandos, etc.) They themselves reply to the bishop, to his questions regarding baptism (l. c. p. 425): Lex et disciplina nostra, quam a Magistro accepimus, nec evangelicis decretis, neq; apostolicis sanctionibus contraire videbitur, si quis eam diligenter velit intueri. Haec namque hujusmodi est, mundum relinquere, carnem a concupiscentiis fraenare, de labo

(1030),⁵ not long after, and even in *Goslar* (1025).⁶ *Wazon*,⁷

ribus manuum suarum victum parare, nulli laesionem quaerere charitatem cunctis, quos, zelus hujus nostri propositi teneat, exhibere. Servata igitur hac justitia, nullum opus esse baptismi; praevericata ista, baptismum ad nullam proficere salutem. Haec est nostrae justificationis summa, ad quam nihil est, quod baptismi usus superaddere possit, cum omnis apostolica et evangelica institutio hujusmodi fine claudatur (hence the charge against them, l. c. p. 457: *Falsae justitiae doctrinam introducere tentatis, quam divinae gratia adeo praeponitis, ut omnia propriis meritis adscribas*). Si quis autem in baptimate aliquod dicat latere sacramentum, hoc tribus ex causis evacuat. Una, quia vita reproba ministrorum baptizandis nullum potest praebere salutis remedium. Altera, quia quidquid vitiorum in fonte renunciatur, postmodum in vita repetitur. Tertia, quia ad parvulum non volentem neque currentem, fidei nescium, suaequa salutis atque utilitatis ignarum, in quem nulla regenerationis petitio, nulla fidei potest inesse confessio, aliena voluntas, aliena fides, aliena confessio nequaquam pertinere videtur. Unfortunately, the bishop did not allow them to answer the other charges again. Remarkable, however, are the objections that they taught (ap. *Mansi*, xix. 436): In templo dei nihil esse, quod sit aliquo cultu religionis dignum magis, quam proprii domicilii cubiculum,—mensam Domini—nullum—in se aliud praeter acervum lapidum retinere sacramentum; p. 453: ex errore hominum venisse, quod venerantur crucem, cum nullam magis in se virtutem continet, quam caetera ligna sylvarum, etc. They returned to the Catholic Church. Schmid, S. 415, ff.

⁵ Glaber Radulph. iv. c. 2. Respecting their doctrine the only authority is Landulph. *Sen. Mediol. Histor. lib. 2, c. 27.* (*Murat. Scriptt. rer. Ital. iv. 88.*) One of them, Girardus, thus expresses himself before Herbert, archbishop of Milan: *Deo omnipotenti, Patri et Filio, et Spiritui Sancto gratias resvero immensas, quod tam studiose me inquirere satagit.* Et qui vos ab initio in lumbis Adae cognovit, annuat, ut sibi vivatis, sibique moriamini, et cum ipso per saeculorum saecula regnantes gloriemini. *Vitam meam, et meorum fratrum fidem qualicunque animo ea sciscitatis, vobis edicam: Virginitatem præ caeteris laudamus, uxores habentes.*—*Nemo nostrum uxore carnaliter utitur, sed quasi matrem aut sororem diligens tenet* (afterward: *si universum genus humanum sese conjungeret, ut corruptionem non sentiret, sicut apes sine coitu genus humanum gigneretur*). *Carnibus nunquam vescimur, jejunia continua et orationes indesinenter fundimus; semper die nocte nostri maiores vicissim orant, quatenus hora oratione vacua non praetereat, omnem nostram possessionem cum omnibus hominibus communem habemus.* *Neino nostrum sine tormentis vitam finit, ut aeterna tormenta evadere possimus* (afterward: *si nos ad mortem natura perducit, proximus noster, antequam auioram damus, quoquomodo interficit nos*). *Patrem et Filium et Spiritum Sanctum credimus et confitemur* (namely Pater Deus est aeternus—Filius animus est hominis a Deo dilectus and Jesus Chr. animus sensualiter natus ex Maria Virgine, videlicet natus est ex s. Scriptura,—Spiritus Sanctus divinarum scientiarum intellectus, a quo cuncta discrete reguntur). *Ab illis vero, qui potestatem habent ligandi et solvendi, ligari ac solvi credimus* (to the question whether he meant the pope to be bishop or priest: *Pontificem habemus non illum Romanum, sed alium, qui quotidie per orbem terrarum fratres nostros visitat dispersos, et quando Deus illum nobis ministrat, tunc peccatorum nostrorum venia summa cum devotione donatur.* This is not, as Schmid thinks, a human pope, but the Holy Spirit who was given by the imposition of hands: according to Baur, das manich. Religionssystem, S. 305, Christ, as the sun surrounding the earth). *Vetus ac novum Testamentum ac ss. Canones quotidie legentes tenemus.*

⁶ Hermanni Contr. Chron. ad. ann. 1052 (ap. Pertz, vii. 130): Imperator Natalem Domini Goslare egit, ibique quosdam haereticos inter alia pravi erroris dogmata, Manichaea secta, omnis esum animalis execrantes—in patibus suspensi jussit.

⁷ Gesta Episcopp. Leodiensium c. 59 (in Martene et Durand. Ampliss. collectio, iv. 898, ss.): Roger, bishop of Chalons, wrote to Wazon between 1043 and 1048: *In quadam parte dioecesis suae quosdam rusticos esse, qui perversum Manichaeorum dogma sectantes, furtiva sibi frequentarent conventicula, nescio quae obscoena et dictu turpia quadam sua solemn-*

bishop of Liege († 1048), lifted up his voice in vain against the universal practice of putting these heretics to death.

nitate actitantes, et per sacrilegam manuum impositionem dari Spiritum Sanctum mentientes, quem ad adstruendam errori suo fidem non alias a Deo missum, quam in haeresiarcha suo Mani (quasi nihil aliud sit Manes nisi Spiritus Sanctus) falsissime dogmatizarent : incidentes in illam blasphemiam, quam juxta veritatis vocem et hic et in futuro impossibile est remitti. Hi tales, ut dicebat, cogebant quos possent in suam concedere turbam, nuptias abominantes, esum carnium non modo devitantes, sed et quocunque animal occidere profanum dicentes ; tutelam errori suo assumere praesumentes sententiam Domini in veteri lege occidere prohibentis. Si quos vero idiotas et infacundos hujus erroris sectatoribus adjungi contingeret, statim eruditissimis etiam catholicis facundiores fieri asseverabat, ita ut sincera sane sapientium eloquentia paene eorum loquacitate superari posse videretur. Addidit etiam plus de quotidiana perversione sese aliorum dolere, quam de ipsorum perditione. Quid de talibus praestet agendum, anxius praesul certum sapientiae consuluit secretarium, an terrena potestatis gladio in eos sit animadvertisendum necne : modico fermento, nisi exterminentur, totam massam posse corrupti. The reply of Wazon is preserved entire, c. 60 : Haec licet christiana abhorreat religio,—tamen imitata Salvatorem suum—jubetur interim tales quodammodo tolerare. A reference to Matth. xiii. 24, ss., particularly, v. 29 and 30. Quid his verbis nisi patientiam suam Dominus ostendit, quam praedicatores suos erga errantes proximos exhibere desiderat? Maxime cum hos, qui hodie zizania sunt, possibile sit, eras converti et esse triticum. Cesset ergo judicium pulveris, audita sententia condemnatoris; nec eos queramus per saccularis potentiae gladium huic vitae subtrahere, quibus vult idem creator et redemptor Deus, sicut novit, parcere : ut resipiscant a diaboli laqueis, etc. Meminisse debemus, quod nos qui Episcopi dicimus, gladium in ordinatione—non accipimus ; ideoque non ad mortificandum, sed potius ad vivificantum auctore Deo inungimur. The historian adds : Haec tantopere vir Dei exemplo b. Martini (Vol. I. Div. II. § 104, note 11) studebat inculcare, ut praecepitem Francigenarum rabiem caedes anhelare solitam a crudelitate quodammodo refrænarct. Audierat enim, eos solo pallore notare haereticos, quasi quos pallere constaret, haereticos esse certum esset (Vol. I. Div. II. § 86, note 6); sicque per errorem simulque furorem eorum plerosque vere catholicorum fuisse aliquando interemtos. He then finds fault with the executions in Goslar, cap. 61 : Wazonem nostrum, si haec tempora contigisset, huic sententiae assensum nequaquam praebiturum, exemplo b. Martini, etc. Haec dicimus, non quia errorem haereticorum tutari velimus; sed quia hoc in divinis legibus nusquam sanctum [nos] non approbare monstramus. Concerning Wazon, see Hist. lit. de la France, vii. 588.

THIRD DIVISION.

FROM GREGORY VII. TO THE REMOVAL OF THE PAPAL SEE INTO FRANCE. FROM 1073–1305.

PRINCIPAL SOURCES.

1. **LATIN AUTHORS:** Marianus Scotus, Lambertus Hersfeldensis, Sigebertus Gemblac. and Bernoldus, the continuor of the Hermannus Contractus (see before Div. ii.).—Ekkehardus Uraugiensis (Abbot of Aurach, Wurtzburg), chronica down to 1125 (ed. G. Waitz in Pertz, viii. 1).—Otto, Bishop of Freisingen († 1158. Chron. rerum ab. init. mundi usque ad annum 1146 gestarum libb. viii. to which are annexed libb. ii. de gestis Frid. I. down to 1156, with continuations by Radevicus, Canon. in Freisingen 1160, and an anonymous author, to 1170. There is a good continuation of the Chron. from 1146–1209 by Otto de S. Blasio. Collected in Chr. Urstisii historic. Germ. i. 1. The libb. ii. de gest Frid. with Radewich's continuation, are more correctly given in Muratori scriptt. rer. Ital. vi. 633; and Otto de St. Blasio is best published in monumentis res Allemann. illustrant. ed. Ussermann. ii. 449. On the value of Otto v. Freisinger's historical works see Schumacher's Beiträge zur deutschen Reichshistorie, Eisenach 1770, 4. S. 1. sq.).—Chronica regia S. Pantaleonis (composed in the monastery of St. Pantaleon at Cologne, at three different periods, namely, in the year 1000, 1106 (so far almost entirely copied from Ekkehardus) and 1162, in Eccardi corpus historic. med. avi. i. 683; continued down to 1237 by Godefridus Mon. Pantal. in Freheri scriptt. rer. Germ. ed. Struve, i. 335).—Annalista Saxo (from 741 to 1139, ed. G. Waitz in Pertz, viii. 542), according to Waitz, an ecclesiastic of Halberstadt, a compiler (see Stenzel's Gesch. Deutschlands unter d. frank. Kaisern, ii. 110).—Chironicon Urspergense (the first part down to 1125 is Ekkehardi chron. the continuation by the two abbots of Auersberg, Bureard down to 1226, and Conrad of Lichtenau to 1229. The whole was formerly called after the last named. Editions, Strasburg, 1537, 1540, and 1609 fol. See Schumacher, s. 38. Stenzel, ii. 106). Albericus, monk' at Drübeck (Trium fontium) in the district of Liege (chron. ab. orbe cond. usque ad ann. 1241 ed. Guil. Leibnitius in Accessionibus histor. t. ii. Hanov. 1698. 4. Emendations in B. Menckenii scriptt. rer. Germ. i. 37).—Vincentius Bellocavensis, a Dominican in Royemont († 1264. Speculum historiale libb. xxxii. Argentor. 1473. iv. voll. fol. Aug. Vindel. 1474. iii. voll. fol.).—Albertus Stadensis (Benedictine Abbot in Stade, after 1240 a Franciscan. Chron. ab orbe cond. usque ad ann. 1256. ed. Reinerus Reineccius. Helmst. 1587. 4. and in Schilteri scriptt. rer. Germ. p. 123 ss. Lectt. variantes, emendationes, et supplementa in Haeberlin analectis medii aevi, p. 607).—Matthæus Paris,¹ Benedictine at St. Alban's

¹ Opinion of Baronius ad ann. 996 no. 63: Matthæus Paris quam fuerit animo infensissimo in apostolicam sedem quivis facile poterit intelligere (nisi probra illa fuerint additamenta potius ejus qui edidit Novatoris, haeretici hominis, cum peculiare sit illis, libros quos potuerint depravare).—Cum liber iste indignus luce a majoribus judicatus, occultatus lateret in angulo; his ipsis temporibus nostris, magno praeconio tanquam prævia face, emersit in lucem anno MDLXXI. A quo libro si quis demat calumnias, inventivas, dicatrices et blasphemias in apostolicam sedem frequenter iteratas, aureum sane dixerit commentarium, utpote quod ex publicis monumentis, totidem verbis redditis (ut dictum est) egregie contextum et coagmentatum inveniatur. The suspicion repeated by Bellarmin

(† 1259 *Historia major*) ab ann. 1066–1259, with a continuation by Wilh. Rishanger in 1273, ed. Guil. Wats. London, 1640 and 1684 fol.—*Martinus Polonus*, Archbishop of Gnesen († 1278, *Chronicon* down to 1277 ed. Herold, Basil. 1559 and J. Fabricius Caesar, Colon. 1616, fol. There is a continuation down to 1343 in J. G. Eccardi corp. scriptt. medii avi i. 1413).

For Church History specially, *Ordericus Vitalis*, Benedictine in the monastery of St. Evroul in Ouche († after 1141. *Histor. eccles. libb. xiii.* down to 1141, in A. du Chesne scriptt. Normann. Paris, 1619 fol. p. 319 ss. translated into French from a better text by Louis Dubois, Paris, 1825–27. 4 voll. 8. On this see Lappenberg, *Gesch. v. England*, ii. 378).—*Ptolomaeus de Fiadonibus* from Lucca, a Dominican, Bishop of Torcello († 1327, *Hist. Eccles. libb. xxiv.* down to 1316 in *Muratorii scriptt. rer. Ital. xi. 741*).—[G. H. Pertz, *monumenta Germaniae historica* (500 to 1500), tom. xiii. 1855; *Gesta archiepiscorum Salisburgensium*; abp. Gebehard, *Life of Conrad I. (1106–1129)*.]

2. **BYZANTINE AUTHORS:** Joh. Zonaras (at the head of Div. i.) after whom follow close: Nicetas Choniates (from 1117 to 1206), Georgius Acropolita (from 1204 to 1261), Georgius Pachymeres (from 1258 to 1308).

[Capefigue, *L'Église au moyen âge*. 2. 8. 1852.—Dunham, *Hist. of Europe in Mid. Ages*, 4. 12. (Lardner's Cab. Cyclop.).—C. Hardwick, *History of Christianity in Middle Ages*, Lond. 1853.—Damberger, *Synchronistische Geschichte der Kirche u. der Welt im Mittelalter*, tom. i.–vii., xi.–xiv. 1854.]

FIRST CHAPTER.

HISTORY OF THE PAPACY.

SOURCES: Besides individual Biographies, there are the Collections of Lives of the Popes by Pandulphus Pisanus Card. (about 1184, from Gregory VII. down to Alexander III.), Bernardus Guido, a French Dominican, afterward Bishop of Lodeve († 1331, from Victor III. to John XXII.), and Nicolaus Rosselius, Arragonius Card. (about 1356, derived from Cencii Camerarii, *i. e.* Honorii III. *liber-censum camerae apost.* see Pertz in the *Archive d. Gesellsch. für deutsche Geschichtsk.* v. 97), collectively in *Muratorii scriptt. rer. Ital. III. i. 273*. Afterward by Amalricus Augerii, a French Augustine monk (about 1365, *Actus Pontiff. Roman.* from Peter to John XXII., or 1321, important on Innocent III., in Eccardi corp. historic. med. aev. ii. 1641, and *Muratori l. c. III. ii.*).

WORKS: Planck IV. i. 93. Schmidt's K. G. Th. vi. and vii. (the last by F. W. Rettberg). Neander V. i. 105.

[Jaffé, *Regesta Pontificum Roman.* ab condita ecclesia ad annum post Christum, 1198. 4. Berl. 1851.]

I. POLITICAL DEVELOPMENT OF THE PAPACY.

§ 47.

GREGORY VII. (1073–1085.)

SPECIAL SOURCES: .. Documents: *Gregorii VII. registri s. epistolarum libb. xi.* (the tenth is missing) in Mansi, xx. p. 60 ss. There are many letters which belong to this also, and yet more distinctly stated by J. B. Gollerius (*Act. SS. August 1, 451*) has died away of itself since manuscripts have been found elsewhere.

head in *Udalrici Babenbergensis codex epistolaris* (collected about 1125) in *Eccardi corpus historic. medi. aevi, t. ii. p. 1 ss.*—II. Notices of contemporaries in favor of Gregory are published specially by the Jesuit Jac. Gretzer, and in his *vetera monumenta contra schismaticos jam olim pro Gregorio VII. conscripta et nunc primum in lucem vindicata studio, Seb. Tengnagel, Ingoldstadii, 1612, 4* (united in *Gretseri Opp. t. vi.*), against him by Melch. Goldast (*apologiae pro Imp. Henrico IV. adv. Gregorii VII. imprias criminaciones, recensitae studio M. Goldasti, Hanoviae 1611, 4*), in connection with polemical writings. 1. Hostile to Gregory: Benno¹ (Cardinal), *de vita et gestis Hildebrandi, p. libb. ii. in Goldast, p. 1.*—Obertus (Bishop of Liege about 1106), *de vita et obitu Henrici IV. in Goldast, p. 204.*—Benzo (Bishop of Alba), *panegyricus rythmicus in Henricum III. Imp. in Mencken scriptt. rer. Germ. i. 957, and J. P. de Ludwig reliquiae manuscriptt. ix. 217.* 2. In defense of Gregory: Paulus Bernriedensis (canon at Ratisbon, afterward in the monastery of Bernried), *de vita Greg. VII., in Gretser opp. vi. 119, in Mabillon act. ss. ord. Bened. saec. vii. ii. 403, and in Murator. scriptt. rer. It. iii. i. 314.*—Bonizo lib. ad amicum in Oefelii scriptt. rerum Boicarum ii. 794. (See on this head part i. § 22, note 33.)—Besides these, Bruno (clerk in Mersburg), *hist. belli Saxonici* (written 1082), in *Pertz monum. vii. 327.* General review of the sources in Stenzel's *Gesch. Deutschlands unter den frankischen Kaisern, ii. 55.* Das *Zeitalter Hildebrands fur und gegen ihn, aus zeitgleichen Quellen, von G. Cassander, Darmstadt, 1842.* (But compare *Berliner literar. Zeitung, 1842, s. 1084.*) WORKS: Joh. Voigt *Hildebrand als Gregor. VII. und sein Zeitalter, 2te Aufl. Weimar, 1846.* J. M. Söltl *Heinrich der Vierte. Münch, 1823; also his Gregor. VII. Leipz. 1847.* Schlosser's *Weltgesch. II. ii. 694.* Stenzel's *Gesch. Deutschlands unter den fränk. Kaisern, i. 274.*

[J. W. Bowden, *Life and Pontificate of Gregory VII. 2. 8. Lond. 1840.*—Stephens's Essays, vol. i. (Edinb. Review, vol. 90).—Villewain, *Memoir on Henry IV. and Canossa, read in French Academy of Inscriptions, Mar. 1854.*]

THROUGH Gregory VII. the ideas, hitherto for the most part undeveloped, of the supremacy of the Pope over the Church, and of the Church over the State,² first assumed the shape of a perfectly

¹ He appears not to have fallen away from Gregory till after 1081, Cassander s. 75. He is falsely called Bruno in Schröckh. xxv. 531, and in other works, after a mistake in chron. Ursperg. ad ann. 1079.

² Especially *Gregor. lib. iv. epist. 2, ad Herimannum Episc. Metensem, in the year 1076: ubi Deus b. Petro principaliter dedit potestatem ligandi et solvendi in caelo et in terra (Matth. xvi. 19), nullum exceptit, nihil ab ejus potestate subtraxit.* Nam qui se negat, non posse Ecclesiae vinculo alligari, restat, ut neget non posse ab ejus potestate absoluvi. Et qui hoc impudenter negat, se a Christo omnino sequestrat. *Quod si s. sedes apostolica divinitus sibi collata principali potestate spiritualia decernens dijudicat, cur non et saecularia? etc.*—lib. viii. epist. 21, *ad eundem in the year 1081: itane dignitas (regalis) a saecularibus etiam Deum ignorantibus inventa non subjecetur ei dignitati (sacerdotali), quam omnipotentis Dei providentia ad honorem suum invenit, mundoque misericorditer tribuit?* *cujus Filius, sicut Deus et homo indubitanter creditur, ita summus sacerdos caput omnium sacerdotum ad dexteram Patris sedens, et pro nobis semper interpellans habetur: qui saeculare regnum, unde saeculi filii tument, despexit, et ad sacerdotium crucis spontaneus venit.* *Quis nesciat, reges et duces ab iis habuisse principium, qui Deum ignorantantes, superbia, rapinis, perfidia, homicidiis, postremo universis paene sceleribus, mundi principe diabolo videlicet agitante, super pares, scilicet homines, dominari cacea cupiditate et intolerabili praesumtione affectaverunt?*—*Quis dubitet, sacerdotes Christi regum et principum omniumque fidelium patres et magistros censeri?* Nonne miserabilis insaniae esse cognoscitur, si filius patrem, discipulus magistrum sibi conetur subjugare: et iniquis obli-

organized system, with a sphere of much wider extent than that set forth by the Pseudo-Isidore. In the so-called *Dictatus Gregorii VII.*³ this is briefly portrayed; and it immediately opposed a rude

gationibus illum potestati suae subjicere, a quo credit non solum in terra, sed etiam in celis se ligari posse et solvi? There are notices of Gregory the Great and Gelasius in Part i. § 24, note 17.—Talibus ergo institutis, talibusque fulti auctoritatibus plerique Pontificum alii Reges, alii Imperatores excommunicaverunt. Thus Innocentius excommunicated Arcadius for consenting that S. John Chrysostom should be banished from his see. Vol. i. Part 2, § 85, note 13. Alius item Romanum Pontifex, Zacharias videlicet, Regem Francorum non tam pro suis iniquitatibus, quam eo, quod tantae potestati non erat utilis, a regno depositus, et Pippinum—in ejus loco substituit, omnesque Francigenas a juramento fidelitatis, quod illi fecerant, absolvit. (Part i. § 5, note 9.) Then there is an appeal to Ambrose (vol. i. part 2, § 91, note 8) and the work imputed to him, *De Dignitate Sacerdot.* (see Part I, § 24, note 17). An examination worth reading of the passages and examples to which Gregory here appeals is to be found in D. Blondellus de formula Regnante Christo in veterum monumentis usu. Amstelod. 1646, 4, p. 155, ss. The disdain of secular power here expressed was inbred in the Papacy. See Part I, § 21, note 12 and 29.—Gregor. lib. vii. epist. 25, ad Guilelm. Reg. Angl. in the year 1080: Credimus prudenter vestram non latere, omnibus aliis excellentiores apostolicam et regiam dignitates huic mundo ad ejus regimina omnipotentem Deum distribuisse. Sicut enim ad mundi pulchritudinem oculis diversis temporibus representandam solem et lunam omnibus aliis eminentiora disposita luminaria; sic, ne creatura, quam sui benignitas ad imaginem suam in hoc mundo creaverat, in erronea et mortifera traheretur pericula, providit in (*leg. ut*) apostolica et regia dignitate per diversa regeretur officia. Qua (*leg. Quas*) tamen majoritatis et minoritatis distantia religio sic se movet (*leg. semovet*) christiana, ut cura dispensatione apostolicae dignitatis post Deum gubernetur regia.

³ *Dictatus Papae* at the end of lib. ii., epist. 55: 1. Quod Romana Ecclesia a solo Domino sit fundata. 2. Quod solus Romanus Pontifex jure dicatur universalis. 3. Quod ille solus possit deponere Episcopos vel reconciliare. 4. Quod legatus ejus omnibus Episcopis praesit in concilio, etiam inferioris gradus, et adversus eos sententiam depositionis possit dare. 5. Quod absentes Papa possit deponere. 6. Quod cum excommunicatis ab illo, inter caetera, nec in eadem domo debemus manere. 7. Quod illi soli licet pro temporis necessitate novas leges condere, novas plebes congregare, de canonica abbacium facere et econtra, divitem episcopatum dividere, et inopes unire. 8. Quod solus possit uti imperialibus insigniis. 9. Quod solius Papae pedes omnes principes desculpentur. 10. Quod illius solius nomen in ecclesiis recitetur. 11. Quod unicum est nomen in mundo. 12. Quod illi liceat Imperatores deponere. 13. Quod illi liceat de sede ad sedem necessitate cogente Episcopos transmutare. 14. Quod de omni ecclesia, quamcumque voluerit, clericum valeat ordinare. 15. Quod ab illo ordinatus alii ecclesiac praeesse potest, sed non militare, et quod ab aliquo Episcopo non debet superiore gradum accipere. 16. Quod nulla synodus absque praeccepto ejus debet generalis vocari. 17. Quod nullum capitulum, nullusque liber canonicus habeatur absque illius auctoritate. 18. Quod sententia illius a nullo debeat retractari, et ipse omnium solus retractare possit. 19. Quod nemine ipse judicari debeat. 20. Quod nullus audeat condemnare apostolicam sedem appellantem. 21. Quod maiores causae ejuscumque ecclesiae ad eam referri debeant. 22. Quod Romana Ecclesia nunquam erravit, nec in perpetuum, Scriptura testante, errabit. 23. Quod Romanus Pontifex, si canonice fuerit ordinatus, meritis b. Petri indubitate efficitur sanctus, testante s. Ennodio Papiensi Episc., ei multis ss. Patribus faventibus, sicut in decretis b. Symmachi P. continentur (see vol. i., Part 2, § 117, notes 14 and 15). 24. Quod illius praeccepto et licentia subjectis liceat accusare. 25. Quod absque synodali conventu possit Episcopos deponere et reconciliare. 26. Quod catholicus non habeatur, qui non concordat Romanae Ecclesiae. 27. Quod a fidelitate

and threatening front to monarchs.⁴ If we consider the logical deduction of this system from premises formerly adopted,⁵ and the corrupt state of the Church, which seemed to be accounted for by the disregard of such a system,⁶ we may assume that Gregory

iniquorum subjectos potest absolvere.—Baronius ann. 1076, No. 31, and Christ. Lupus, in notis et dissert. ad concil., consider them to be genuine: the French authors Jo. Launois, Epistol. lib. vi. ep. 13, Anton. Pagi crit. in Baron. l. c., and especially Natalis Alexander hist. eccl. saec. xi. et xii. Dissert. iii., doubtless with an eye to the interest of the Gallican Church, held them to be not only not genuine, but also at variance with the principles of Gregory. The later writers, according to Mosheim, instit. p. 401, note f., considered them to be drawn up, indeed, by another hand, but to express the principles of Gregory. They appear to be an *Index Capitulorum* of a synod held under Gregory. Baronius, ad Martyrol. Rom. 22, quotes ex registro epist. Greg. vii. as a canon of a Council of Rome in the year 1075, ut Papae nomen unicum esset in universo orbe christiano, nec licet alicui, se ipsum vel alium eo nomine appellare; compare Dict. xi.

⁴ Shortly before this time the well-known privilegia Augustodunensis were probably falsely attributed to Gregory the Great (vid. Launoii opp. v. ii. 445) with the formula: si quis vero Regum, Sacerdotum, judicium, personarumque saecularium hanc constitutionis nostrae paginam agnosceat contra eam venire tentaverit, potestatis honorisque sui dignitate caret, &c. Gregory VII. betakes himself to these for the defense of his verdict against Henry IV. (lib. viii. ep. 21, ad Herimannum Metensem). He is the first of the Popes to use them in the charters of several religious houses (for instance, privileg. monast. s. Michael in Burgo Pisarum in Cocquelines Bullarium ii. 45, and in privil. monast. Rothensis in Britannia, ibid. p. 46). From this time they were adopted into the style of the Roman curia. Thus Urban II. uses them in the privil. Eccl. Atrebantensis in Mansi, xx. 669, Paschal II. in the privil. monast. Cabillon. in Mansi, xx. 981, &c.

⁵ Vid. Pseudosidorus, Part 1, § 20, note 4.

⁶ To this reason Gregory himself is always referring, vid. lib. i. ep. 42, ad Sicardum Aquilej. Archiep. an. 1074. Non ignorare credimus prudentiam tuam, quantis perturbationum fluctibus Ecclesia sit usquequaque concussa, et paene desolationis suae calamitatibus naufraga et submersa sit facta. Rectores enim et principes hujus mundi singuli quaerentes, quae sua sunt, non quae Jesu Christi, omni reverentia conculeata, quasi vilem ancillam opprimunt, eamque confundere, dum cupiditates suas explore valeant, nullatenus pertimescent. Sacerdotes autem, et qui regimen Ecclesiae accepisse videntur, legem Dei fere penitus postponentes, et officii sui debitum Deo et commissis sibi oibis subrahentes, per ecclesiasticas dignitates ad mundanam tantum nituntur gloriam, et quae speciali dispensatione multorum utilitatibus et saluti proficere debuissent, ea aut negligunt, aut infeliciter in pompa superbiae et superfluis sumtibus consumunt. Inter haec populus nullo praelatorum moderamine, nullisque mandatorum frenis in viam justitiae directus; immo eorum, qui praesunt, exemplo quaecumque noxia et quae christiana religioni sunt contraria eductus, ad omnia paene quae nefaria sunt proni et studio corruentes, christianum nomen, non dico absque operum observantia, sed paene absque fidei religione gerunt. Lib. ii. ep. 40, ad Hugonem Abb. Cluniacensem: Cum mentis intuitu partes occidentis, sive meridiei, aut septentrionis video; vix legales Episcopos introitu et vita, qui christianum populum Christi amore, et non saeculari ambitione regant, invenio: et inter omnes saeculares principes, qui praeponant Dei honorem suo, et justitiam lucro, non cognoscere. Eos autem, inter quos habito, Romanos videlicet, Longobardos, et Normannos, sicut saepe illis dico, Iudeis et Paganis quodammodo pejores esse redarguo. Ad me ipsum cum redeo, ita me gravatum propriae actionis pondere invenio, ut nulla remaneat spes salutis, nisi de sola misericordia Christi. Nam si non sperarem ad meliorem vitem, et utilitatem sanctae Ecclesiae venire, nullo modo Romae, in qua coactus, Deo teste, jam a viginti annis inhabitavi, remanerem.

VII. was convinced of the righteousness of his cause, to which he so often appeals. Moreover, if we judge the manner and method with which he worked for this cause, only with respect to their fitness for the end in view, we can not but pronounce them wonderful. But if we regard him, not as a statesman, but in that character, which alone he claimed for himself, as the head of the Church of Christ, and as the apostle of Christian truth, we must be decidedly repelled by the mere worldliness of his policy. For instead of the unflinching truthfulness and universal charity, to which he should have felt himself pledged by his position, we find in him nothing but an iron will and a crafty policy determining means only by the end. Accordingly his whole policy is calculated with a view to external circumstances; and, in the same internal relations, we find him at one time craftily yielding and overlooking, at another obstinately steadfast, at one time advisedly dilatory, at another rashly and extravagantly encroaching. Thus he himself subordinates his spiritual censorship to his political aims; thus he overthrows and destroys whatever will not yield to him.⁷ In order to acquit this Pontiff, by whom the full character of a secular state was stamped upon the Church, even of guilty and willful blindness, we should be obliged to concede an unavoidable influence of the prejudices of the age on the morality even of distinguished men, to such a degree that the moral nature of man himself would thus be thrown into doubt. In order to call him great, we must judge him by a standard which he would not acknowledge—the standard of political ability.⁸

Gregory, from his first accession to the see, began with new demands on the western kingdoms; some he either already regarded as the peculiar property of the apostle Peter,⁹ or sought to make

⁷ Very characteristic is the anecdote in *Chron. Casin.* iii. c. 27. (*Muratori Script. rer. Ital.* iv. 436.) Transmundus, abbot of the convent of Tremiti, had put out the eyes of some monks, and cut out the tongue of one, fuerant enim apud eum de rebellione insulae a sociis insimulati. Desiderius, abbot of Casino, was much enraged at this, and had laid a heavy penance on Transmundus, when Hildebrand, then only cardinal, came thither. He, it is said, ea quae Transmundus gesserat, omnimodis approbans, et nequam illum hoc crudeliter, sed strenue ac digne in malignos homines fecisse confirmans, nondum anno completo, eum a domino Abbatte aliquando difficulter extorsit, atque abbatiā—illi committens, paulo post eidem Balvenis episcopatus addidit dignitatem.

⁸ Against the new apologists for Gregory—Voigt and Luden. See Stenzel, i. 523, and Sötl's *Gregory VII.*

⁹ Partly by right of the so-called gift of Constantine: Urbanus II. ann. 1091: constat

them so; and others he designated as bound at least to pay tribute to the Church.¹⁰ But his chief aim was constantly directed to the complete abolition of priest's-marriage, which had been long ago called in question, and of simony, with a view to destroy all dependence of the Church upon laymen. At a council in Rome, 1074, he had decrees framed against these practices,¹¹

enim, insulas Imp. Constantini liberalitate ac privilegio in b. Petri jus proprium esse collatas, Scheidii orig. Guelph. I. 454. Thence rose the claim for Corsica, Gregorii, lib. vi. ep. 12, and also for Sardinia, lib. viii. ep. 10. In some cases he expressly alleged more recent gifts. Compare lib. i. epist. 7., ad Principes Hispan. an. 1073. Non latere vos credimus, regnum Hispaniac ab antiquo proprii juris s. Petri fuisse, et adhuc, licet diu a Paganis sit occupatum, lege tamen justitiae non evacuata, nulli mortalium, sed soli apostolicae sedi ex aequo pertinere.—Itaque comes Evolus de Rocejo (Rouci in Rheims) —terram illam ad honorem s. Petri ingredi et Paganorum manibus cripere cupiens, hanc concessionem ab apostolica sede obtinuit, ut partem, illam, unde Paganos suo studio et adjuncto sibi aliorum auxilio expellere posset, sub conditione inter nos factae pactionis ex parte s. Petri possideret. He forbids that any one, nisi aqua pactione persolvendi juris s. Petri, should venture to make conquests there. Comp. lib. iv. ep. 28 ad Hispanos.—Just so he enjoins lib. ii. epist. 13, ad Salomonem Reg. Hung. in the year 1074; regnum Hungariae s. Romanae Ecclesiae proprium est, a Rege Stephano olim b. Petro cum omni jure et potestate sua oblatum et devote traditum (comp. Soltl's Gregor. vii. S. 125). Lib. viii. ep. 23, ad Ep. Albanensem in the year 1081: Carolus magnus Imperator Saxoniam obtulit b. Petro, cujus eam devicit adjutoria. He thought he had gained the same claim upon Russia (lib. ii. ep. 74) and Provence (lib. ix. ep. 12). He wished to acquire a like claim in Denmark, lib. ii. ep. 51, ad Suenum Reg. Daniae in the year 1075: si te ac regnum tuum—Apostolorum principi pia devotione committere, et ejus auctoritate fulciri volueris, fideles nuntios ad nos sine dilatione transmittere stude: but without success. Demetrius, Duke of Dalmatia, he made his vassal by granting him the rank of King (Soltl S. 189).

¹⁰ Lib. viii. ep. 23. ad Ep. Albanensem: Dicendum autem est omnibus Gallis et per veram obedientiam praecipiendum, ut unaquaeque domus saltem unum denarium annuatim solvat b. Petro, si eum recognoscunt patrem et pastorem suum more antiquo.

¹¹ The purport of this is clear from Gregorii ep. ad. Ottонem Episc. Constant. in Beroldi Constant. apologeticus pro decretis Gregorii VII. c. 1 (Mansi, xx. 404, Monumenta res Alemannicas illustrantia, ii. 271): ut hi, qui per simoniacam haeresim, h. e. interventu pretii ad aliquem sacrorum ordinum gradum, vel officium promoti sunt, nullum in sancta Ecclesia ulterius ministrandi locum habeant. Illi quoque, qui ecclesias datione pecuniae obtinent, omnino eas perdant, nec deinceps vendere, vel emere alicui liceat. Sed nec illi, qui in crimine fornicationis jacent, Missas celebrare, aut secundum inferiores ordines ministrare altari deboant. Statuimus etiam, ut, si ipsi contemptores fuerint nostrarum, immo ss. Patrum, constitutionum, populus nullo modo eorum officia recipiat, ut, qui pro amore Dei, et officii dignitate non corriguntur, verecundia saeculi, et objurgatione populi resplicant. The law against the marriage of priests is to be found in Gerohi (provost of Reichersberg, † 1189) comm. ad Psalm x. (ed. B. Pez. August. Vind. 1728, fol. p. 157. Mansi, xx. 433) and in Gratian dist. lxxxi. c. 15: Si qui sunt presbyteri, diaconi, vel subdiaconi, qui in crimine fornicationis jaceant, interdicimus eis ex parte Dei omnipotentis, et s. Petri auctoritate ecclesiae introitum, usque dum poenteant et emendent. Si qui vero in suo peccato perseveraverent maluerint, nullus vestrum officium eorum audire praesummat: quia benedictio eorum vertitur in maledictionem, et oratio in peccatum, testante Domino per prophetam: maledicam, inquit, benedictionibus vestris (Mal. ii. 2). Qui vero huic salu-

and now began to attack with energy first the married priest, who had been but little troubled by the earlier prohibitions.¹² In all countries violent agitation arose; many voices were raised against him.¹³ Two synods which *Sigfried*, archbishop of Mayence, assembled for the execution of that decree, at Erfurt (Oct. 1074) and Mayence (Oct. 1075), ended in tumult:¹⁴ likewise also a

berrimo praecepto obedire noluerit, idololatriæ peccatum incurrit Samuele testante et b. Gregorio adstruente: peccatum ariolandi est non obedire, et quasi scelus idololatriæ non acquiescere (1 Sam. xv. 23). Peccatum igitur paganitatis incurrit, quisquis, dum Christianum se asserit, sedi apostolicae obedire contemnit. The prohibition with regard to laymen had already been issued by Nicolas II. 1059 (vid. Part i. § 34, note 8), and renewed by Alexander II. Conc. Rom. ann. 1063, cap. 3.

¹² See Petrus Dam. Part i. § 34, note 8. The earlier ordinances of the Popes seem to have been quite unknown abroad. Sigebert. Gemblac. ad ann. 1074 (Pertz, viii. 362): Gregorius P. celebrata synodo simoniacos anathematizavit, et uxoratos sacerdotes a divino officio removit, et laicis Missam eorum audire interdixit, novo exemplo, et, ut multis visum est, inconsiderato praecipuio, contra ss. Patrum sententiam, qui scripserunt, quod sacramenta quea in ecclesia flunt—quia Spiritus s. mystice illa vivificat, nec meritis bonorum dispensatorum amplificantur, nec malorum peccatis attenuantur.

¹³ Stenzel, i. 355. Bertholdi ann. ad ann. 1075 (Pertz, vii. 278); Praedictis autem et omnibus ferme apostolicae sedis statutis—paene ab omnibus resistitur, et inde maximum odium in dominum Apostolicum, et in perpaucos eos, qui consentiunt ei, et maxima schismata circumquaque, sed maxime a clericis, excitata sunt. Lambertus ad ann. 1074 (in Pertz, vii. 218): Adversus hoc decretum protinus vehementer infremuit tota factio clericorum; hominem plane haereticum et vesani dogmatis esse clamitans, qui oblitus sermonis Domini, quo ait: Non omnes capiunt hoc verbum, qui potest capere capiat, et Apostolus: qui se non continet, nubat; melius est enim nubere, quam uri, violenta exactione homines vivere cogeret ritu angelorum, et dum consuetum cursum naturae negaret, fornicationi et immundicie frena laxaret. Quod si pergeret sententiam confirmare, malle se sacerdotium quam conjugium desercre, et tunc visurum eum, cui homines sorderent, unde gubernandis per Ecclesiam Dei plebibus angelos comparaturus esset.

¹⁴ Lambertus (Pertz, vii. 230): Henry, bishop of Chur, showed himself at Mayence, with strict orders from the Pope to the archbishop. When he wished to fulfill them, exsurgentes qui undique assedebant clericia, ita eum verbis confundebant, ita manibus et totius corporis gestu in eum debacabantur, ut se vita comite e synodo discessurum desperaret. Sic tandem rei difficultate superatus, statuit, sibi deinceps tali quaestione omnino supersedendum, et Romano Pontifici relinquendum, ut causam, quam ipse toties inutiliter proposuisset, ille per semetipsum quando vellet et quomodo vellet peroraret. When the Papal partisan Altmann, bishop of Passau, wished to carry out the ordinance (vid. vita b. Altmanni, c. 11. in Pezii scriptt. rerum Austriacarum, i. 120), his clergy answered him, se nec velle nec posse hanc consuetudinem deserere, quam ab antiquis temporibus constaret eos sub omnibus antecessoribus Episcopis habuisse; and when he thereupon read the order publicly from the chair, omnes unanimiter furore repleti, jam tunc imprecantiarum Dei famulum furibundis manibus discerpssissent, nisi divinum auxilium, et optimatum praesentium praesidium furentibus obstitisset. Among the bishops, Otto, bishop of Constance, resisted; see Gregory's letter to him in Paulus Bernried. c. 37: Cum haec omnia tibi observanda pastorali providentia transmitteremus, tu non sursum cor, sed deorsum in terra ponens, praedictis ordinibus frena libidinis, sicut accepimus, laxasti; ut qui mulierculis se junixerit, in flagitio persisterent, et qui needum duxerunt, tua interdicta non timerent. O impudentiam, o audaciam singularem! etc. See Neugart Episcopatus Constantiensis (S. Blasii, 1803. 4.), i. 1, 459.

Synod at Paris in 1074.¹⁵ However, Gregory now began to work by means of Legates, who passed through different countries armed with full penal powers,¹⁶ and stirred up the people against the married priests.¹⁷ Thus he gained over a strong party to his side,

¹⁵ Vita Galterii Abb. s. Martini juxta Pontisaram, c. 2. in act SS. ad d. viii. April, in Mansi, xxi. 437: Parisiis congregato concilio omnes fere tam Episcopi, quam Abbates et clerici censebant, domini Apostolici sanctae memoriae Hildebrandi iussioni non esse parendum, dicentes, falsoque asseverantes, importabilia ejus esse praecepta, ideoque irrationalia. When Galterius, abbot of Pont-Isere, spoke in behalf of the Papal order, vehementer ira succensi qui aderant adversus Dei famulum, mancipia Regis suo sceleri conjungentes, exclamantesque omnes in una conspiratione consurgunt, ipsum de concilio rapiunt, trahunt, impingunt, colaphizant, conspunt, multisque contumeliis affectum ad donum Regis perducunt. Quorundam optimatum—virtute vir Dei de loco, in quo custodiebatur, eripitur, et Ecclesiæ sua cum honore redditur. The Pope was even informed (lib. iv. ep. 20, ad Josfredum Ep. Parisiensem), Cameracenses hominem quemdam flammis tradidisse, eo quod simoniacos et presbyteros fornicatores Missas non debere celebrare, et quod illorum officium minime suscipiendum foret, dicere ausus fuerit.

¹⁶ Sigebridi Archiepisc. Mogunt. ep. ad suffraganeos in the year 1075 (in Hartzheim. Conc. Germ. iii. 175): Placuit domino Papae, ut mitteret quosdam de Curia pro reformato Ecclesiarum statu, et maxime manifesta cohabitatione mulierum clericis prohibenda. Illi autem diligenter executi, quod eis injunctum fuerat, quibusdam per suspensionem, alii per excommunicationem praeceperunt, ut concubinas dimitterent, et ulterius non admitterent; sed parum in aliquibus profecerunt. Nos igitur videntes, quod occasione hujus mandati facti sunt plurimi transgressores, scandalumque, quod exinde ortum est, et infamiam clericorum, quae secuta est, significavimus domino Papae. Unde ipse nobis dedit in mandatis, ut, quia multitudo est in causa, propter quam detrahendum est severitatem, talibus misericorditer consulamus. Inde est, quod mandamus vobis, qui subditos habetis, ut, quemcunque inveneritis cauteriatam habentem conscientiam, eo quod tali vitio laboraverit, et concubinas a se non removerit; eum ad nostram praesentiam transmittatis, ne indigne accedens ad altare Dei judicium sibi manducet et bibat. Interdicimus enim, sicut nobis injunctum est, cum tali, auctoritate apostolica, dispensare.

¹⁷ Sigebert. Gembl. ad ann. 1074 (Pertz, viii. 363): Ex qua re grave oritur scandalum —laicis insurgentibus contra sacros ordines, et se ab omni ecclesiastica subjectione excutientibus. Laici sacra mysteria temerant et de his disputant; infantes baptizant, sordido humore aurium pro sacro oleo et chrismate utentes; in extremo vitae viaticum dominicum et usitatum Ecclesiae obsequium sepulturae a presbyteris conjugatis accipere parvipendunt; decimas presbyteris deputatas igni cremant; et ut in uno caetera perpendas, laici corpus Domini a presbyteris conjugatis consecratum saepe pedibus conculcauerunt, et sanguinem Domini voluntarie effuderunt. Probably the epistle in Martene et Durand thesaur. nov. anecdot. i. 230, whose author is there conjectured to be Guenricus, a scholastic at Trèves, is the same as Sigeberti Gembl. apologia contra eos, qui calumniantur Missas conjugatorum sacerdotum, of which he himself makes mention, de scriptoribus eccl. c. 171 (vid. Sigfr. Hirsch de vitâ et scriptis Sigeberti Gembl. Berol. 1841, p. 196). There we find the following, p. 231. Quid pulchrius, quid christianitati conducebilius, quam sacros ordines castitatis legibus subjicere, promotiones ecclesiasticas non pecuniae pacto, sed vitae merito aestimare, juvenis regis vitam et mores ad suam et subditorum utilitatem corripere, episcopalem dignitatem ab omni saecularis servitii necessitate absolvere? Haec si ea, quam pietas exigit, intentione proposita, si eo, quem justitia postulat, essent ordine pertractata, profecto neque recta voluntas remuneratione sua earuisset, et non ejectum, sed injectum verbi Dei semen aliquem in auditorum cordibus fructum invenisset. Nunc autem si fructum requiris, grex dominicus pastoribus lupos in

and prevailed so far that these decrees were at least publicly adopted.

As the victory over married priests swayed to the Pope's side, he began to give a more decisive shape to the struggle against simony. In a fresh Council at Rome (1075) he pronounced his ban against five privy counselors of the German King, Henry IV., as guilty of simony;¹⁸ he threatened Philip, king of France, with a similar punishment;¹⁹ and in order to cut off the evil of simony

eum incitantibus miserabiliter dispergitur. Plebejus error, quam semper quaesivit, opportunitate adepta, usque ad furoris sui societatem (*leg. satietatem*) injuncta sibi, ut ait, in clericorum contumelias obedientia crudeliter abutitur. Hi publicis illusionibus addicti, quocumque prodeunt, clamores insultantium, digitos ostendentium, colaphos pulsantium perferunt. Alii—egeni et pauperes profugiunt, alii membris mutilati—alii per longos cruciatu superbe necati.—Illi autem, laicos dico, quibus amministris tam ordinata agi placuit capitula, sua auctoritate defendantes vesania, nihil est, quod contra propositum christianitatis non audeant. Ecclesiae mysteria contemnere, parvulos suos lavačro salutari fraudare, ipsi absque humili peccatorum confessione, et solemnī Ecclesiae viatico migrare, religiosum deputant, sibi ad peccatorum redēmitionē sufficere arbitrantur, si commissum sibi in pastores suos saeviendi officium strenue adimplent. Si autem quaeris, talis fructus a qua radice pullulaverit: lex ad laicos promulgata, qua imperitis persuasum est, conjugatorum sacerdotum Missas, et quaecumque per eos impletur mysteria fugienda esse, in reipublicae nostrae ornatum illud adjectit. So also epist. Theoderici Episc. Virdunensis ad Gregor. VII. an. 1082, written by Guenricus, a scholastic at Trêves (*ibid. p. 218*): primo quidem faciem meam in eo vel maxime confusione perfundunt, quod legem de clericorum incontinentia per laicorum insanias cohibenda umquam suscepimus. —Legem enim illam—tartaro vomente prolatam negligentia, ajunt, exceptit, stultitia promulgavit, amentia roborare contendit, per quam pax Ecclesiae, tranquillitas populi Dei sublata, etc.—Nec putetis eos, qui ita de his sentiunt, conscientiae suaे terrore in hac parte percusso—talia practendere, ecclesiasticorum graduum incontinentiam talibus defensionibus fovere velle. Honestam, mihi credite, conversationem in desiderio habent, nec aliter quam oportet ecclesiasticae ultionis censuram intentari gaudent. Sed non ita, inquietum, scissuram parietis convenit resarciri, ut totum domus fundamentum inde contingat labefactari, etc. Against this proceeding also Alboini epist. ii. ad Bernaldum Constantiens. (about the year 1076) was specially written, although much is said there in defense of the marriage of priests, in Goldasti apologetic. pro Henr. IV. p. 40 ss., and with the reply of Bernald in monumentorum res Alemann. illustr. ii. 237.

¹⁸ Compare Part i. § 24, note 15. Against Bruno de bello Saxon. in Pertz, vii. 334, who accuses even Henry himself of base simony, see Stenzel, ii. 58. 134: the traits of character which Lambert, in Pertz, vii. 237, details, speak much in Henry's favor.

¹⁹ How Philip practiced simony, see Gregor. lib. i. epist. 35, ad Rodericum Cabilon. Episcop. an. 1073: Inter caeteros nostri hujus temporis Principes, qui Ecclesiam Dei perversa cupiditate venumdando dissipaverunt, et matrem suam—ancillari subjectione penitus conculcarunt, Philippum, Regem Francorum, Gallicanas Ecclesias in tantum oppressisse certa relatione didicimus, ut ad summum tam detestandi hujus facinoris cumulum pervenisse videatur. Still more general complaints, lib. ii. ep. 5, ad Episcopos Francorum an. 1074: Rex vester, qui non rex sed tyrannus dicendus est, omnem actatem suam flagitiis et facinoribus polluit, et suscepta regni gubernacula miser et infelix iniutiliter gerens, etc.—Vos fratres etiam in culpa estis, qui, dum perditissimis factis ejus sacerdotali rigore non resistitis, procul dubio nequitiam illius consentiendo foveatis.—Quod si vos audire noluerit—ab ejus vos obsequio atque communione penitus separantes, per

at the very root, he entirely forbade secular princes to invest with any spiritual office.²⁰ Among the monarchs of the time Henry IV. was the one over whom victory the most certain and most rich in results might be expected. By his ungoverned passions and vacillation, the unhappy consequences of a bad education, this youthful monarch had already roused the greatest part of his people, particularly the Saxons, to revolt. Thus the Pope could reckon upon allies against him even in Germany.²¹ And, in the person of Henry, too, the imperial throne, the pinnacle of all secular power, would be humbled.

Accordingly, when his decrees were disregarded by the Princes, the Pope dropped the war already declared against Philip, but summoned Henry, instead, before his judgment seat at Rome.²² Henry answered this unprecedented indeed, but well considered proceeding, with thoughtless rashness, when, in the councils at

universam Franciam omne divinum officium publice celebrari interdicite. Quod si nec hujusmodi districione voluerit resipiscere, nulli clam aut dubium esse volumus, quin modis omnibus regnum Franciae de ejus occupatione, adjuvante Deo, tentemus eripere. Comp. lib. ii. ep. 18, ad Guilelm. Com. Pictav.

²⁰ The short account of this council preserved in the Registrum, Greg. VII. under lib. ii. ep. 52, may be seen in Mansi, xx. 443. As Pagi crit. ann. 1075, no. 1, has shown, the following decree communicated by Anselmus Lucensis contra Guibert lib. ii. (in Canisii lectt. ed. Basnage, iii. 1, 384) and Hugo Flaviniae. chron. Virdun. (in Labbæi bibl. nova mss. i. 196) belongs also to this place: Si quis deinceps episcopatum vel abbatiam de manu alieujus laicæ personæ suscepérít, nullatenus inter Episcopos vel Abbates habeátur, nec ulla ei ut Episcopo vel Abbatí audientia concedatur, insuper ei gratiam b. Petri et introitum Ecclesiæ interdicimus, quoque locum, quem sub criminé tam ambitionis quam inobedientiae, quod est scelus idolatriæ, cepit, resipiscendo non deserit. Similiter etiam de inferioribus ecclesiasticis dignitatibus constituimus. Item si quis Imperatorum, Regum, Ducum, Marchionum, Comitum, vel quilibet saecularium potestatum aut personarum, investituram episcopatum vel alieujus ecclesiasticae dignitatis dare præsumserit, ejusdem sententiae vinculo se adstrictum sciat.

²¹ Voigt's Hildebrand s. 86, 123 ss. Schlosser's Weltgesch. II. ii. 667. Stenzel, i. 248.

²² The preceding events may be found in Bruno de bell. Sax. (in Pertz, vii. 351): Misit ergo Regi literas, quibus eum de multis aliis criminibus arguebat, et ut Episcopos a captivitate dimissos (the Saxon Bishops who had been detained in prison since the subjection of the Saxons) Ecclesiis bonisque suis integræ restitutis remitteret, orabat, et post haec concilium in eo loco, quo venire posset Apostolicus, congregaret, ubi Episcopi vel, si digni essent, episcopalem perderent dignitatem, vel injuriarum, quas erant passi, canoniam recipierent satisfactionem. Quod si in his sacris canonibus noluisset Rex obediens existere, et excommunicatos a societate sua repellere, se eum velut putre membrum anathematis gladio ab unitate s. matris Ecclesiæ minabatur abscondere. Then he sent Legates (Lambertus ann. 1076, in Pertz, vii. 241), denuntiantes Regt, ut secunda feria secundæ hebdomadae in Quadragesima ad synodum Romæ occurreret, de criminibus, quae objicerentur, causam dicturus: alioquin sciret, se absque omni procrastinatione eodem die de corpore s. Ecclesiæ apostolico anathemate abscondendum esse.

Worms (24th Jan. 1076), Placentia (February), and Pavia (April), he suffered his good right to be thrown into the shade by empty accusations against the Pope, and then pronounced him deposed.²³ On the other hand Gregory issued against Henry sentence of excommunication and dethronement.²⁴ Many voices indeed were now raised to deny the Pope's right to take such a step.²⁵ But

²³ Stenzel, i. 379. In Worms appeared the banished Cardinal Hugo Blancus (or Candidus, about him, see Cassander, s. 80), *deferens secum de vita et institutione Papac scenicis fragmentis consimilem tragœdiam* (Lambertus, p. 242), in part almost the same charges which Benno and Benzo have recorded. The letters issued from Worms, those from the German bishops to Gregory in Flacii cat. test. ver. no. clx., and from Henry to the Romish Church and Gregory in Bruno de bello Sax. in Pertz, vii. 352. In the last it is said: *Et nos quidem haec omnia sustinuimus, dum apostolicae sedis honorem servare studuimus. Sed tu humilitatem nostram timorem fore intellexisti, ideoque et in ipsam regiam potestatem nobis a Deo concessam exsurgere non timuisti, quam te nobis auferre ausus es minari, quasi nos a te regnum acceperimus, quasi in tua et non in Dei manu sit regnum vel imperium: qui Dominus noster Jesus Christus nos ad regnum, te autem non vocavit ad sacerdotium. Tu enim his gradibus ascendisti: scilicet astutia—pecuniam, pecunia favorem, favore ferrum, ferro sedem pacis adisti, et de sede pacis pacem turbasti.—Me quoque, qui, licet indignus, inter christos ad regnum sum unctus, tetigisti, quem sanctorum Patrum traditio soli Deo judicandum docuit, nec pro aliquo crimine, nisi a fide, quod absit, exorbitaverimus, deponendum asseruit, cum etiam Julianum apostamat prudentia sanctorum Episcoporum non sibi, sed soli Deo judicandum deponendumque commiserit. Ipse verus Papa, b. Petrus, clamat: Deum timete, Regem honorificate. Tu autem, quia Deum non times, me constitutum ejus inhonoras.—Tu ergo hoc anathemate et omnium Episcoporum nostrorum judicio et nostro damnatus descende, vindicatam sedem apostolicam relinque! Alius in solium b. Petri ascendat, qui nulla violentiam religione palliet, sed b. Petri sanam doctrinam doceat. Ego enim Henricus Rex Dei gratia cum omnibus Episcopis nostris tibi dicimus: descendere, descendere.*

²⁴ Conc. Roman. ann. 1076 in Mansi, xx. p. 467 ss. The form of excommunication: *Beate Petre Apostolorum princeps, inclina quaesumus pias aures tuas nobis, et audi me servum tuum.—Tu mihi testis es, et Domina mea, Mater Dei, et b. Paulus frater tuus, et omnes Sancti, quod tua s. Romana Ecclesia me invitum ad sua gubernacula traxit,—et ideo—credo, quod tibi placuit et placet, ut populus christianus tibi specialiter commissus mihi obediatur.—Hac itaque fiducia fretus pro Ecclesiae tuae honore et defensione, ex parte omnipotentis Dei Patris et Filii et Spiritus sancti, per tuam potestatem et auctoritatem Henrico Regi, filio Henrici Imperatoris, qui contra tuam Ecclesiam inaudita superbia insurrexit, totius regni Teutonicorum et Italiae gubernacula contradico, et omnes Christianos a vinculo juramenti, quod sibi fecere vel facient, absolvō, et ut nullus ei sicut Regi serviat, interdico.—Et quia sicut Christianus contemnit obediēre,—participando excommunicatis, et multas iniquitates faciendo, meaque monita, quae pro sua salute sibi misi, te teste, spēnendo, seque ab Ecclesia tua, tentans eam scindere, separando; vinculo eum anathematis vice tua alligo: et sic eum ex fiducia tua alligo, ut sciant gentes, et comprobent, quia tu es Petrus, et super tuam petram Filius Dei vivi aedificavit Ecclesiam, et portae inferi non praevalebunt adversus eam. This sentence he published in a letter ad universos Christianos (Bruno de bello Sax. in Pertz, vii. 353. Gregor. lib. iii. ep. 6).*

²⁵ Historiae Francicae fragmentum in Duchesne hist. Franc. scriptt. T. iv. p. 89, even records: contra voluntatem totius paene concilii eum excommunicavit. Immediately afterward Gregory issued the epist. ad Germanos (Udalrici cod. epist. no. 146 in Mansi,

the 'Princes, long discontented with their king, looked upon the Pope only as a welcome ally. From Tribur (Oct. 1076) they re-

xx. 377: Audivimus inter vos quosdam de excommunicatione, quam in Regem fecimus, dubitare, ac quaerere, utrum juste sit excommunicatus, et si nostra sententia ex auctoritate legalis censurae, ea, qua debuit, deliberatione egressa sit. Thus Hermann, bishop of Metz, communicates to the Pontiff, as the opinion of many: Regem non oportet excommunicari. Thereupon Gregor. lib. iv. ep. 2, ad Herimannum ann. 1076, and yet more distinctly lib. viii. ep. 21:—Quod autem postulasti, te quasi nostris scriptis juvari ac praemuniri contra illorum insaniam, qui nefando ore garriunt, auctoritatem sanctae et apostolicae sedis non potuisse Regem Henricum, hominem christianaee legis contentorem, ecclesiastarum videlicet et imperii destructorem, atque haereticorum auctorem et consentaneum excommunicare, nec quemquam a sacramento fidelitatis ejus absolvere: non adeo necessarium nobis videtur, cum hujus rei tam multa ac certissima documenta in sacrarum Scripturarum paginis reperiantur. Compare above note 2. Sigebert. Gemb. de scriptt. eccl. c. 171. Rogatu praedicti viri (Henrici Archidiaconi) validis Patrum argumentis respondi epistolae Hildebrandi Papae, quam scripsit ad Hermannum Metensem Episcopum in potestatis regiae calumniam. Against this epistle the apology pro Henrico IV. Imp. ann. 1093 was issued, probably by Waltram, bishop of Naumburg (in Goldasti apolog. p. 53). Theoderici Ep. Virdun. epist. ad Gregorium an. 1080 (s. not. 17) p. 220: Non est novum homines saeculares saeculariter sapere et agere. Novum est autem et omnibus retro saeculis inauditum, pontifices regna gentium tam facile velle dividere, nomen regium inter ipsa mundi initia repertum adeo postea stabilitum repentina factione elidere, christos Domini, quoties libuerit, plebeja sorte sicut villicos mutare, regno patrum suorum decedere jussos, nisi confessim adquieverint, anathemate damnare. Then there is a reference to passages of Scripture, among others to 1 Pet. ii. 17, 18; Tit. iii. 1; and to the example of Gregory the Great (vol. i. Part ii. § 116, note 3). Then page 224: Sanctam autem et omnibus retro saeculis apud omnium gentium nationes, inviolatam jurisjurandi religionem facillima, inquiunt, domini Papae rescindit absolutio: et quod tantum est, ut illud omnis controversiae finem Apostolus nominaverit, modo unius chartulae per quemlibet bajulatorem porrectae levissima infringere juberetur (*leg. infringi jubetur*) lectione. Absolvo, inquit, omnes a juramento, quod Heinrico juraverunt. Ecce nunc tempus acceptabile, ecce qui educit vinctos in fortitudine, velimus, nolimus, absolvimur.—Sed quid ad haec illi dicunt? Non te in hoc, domne Papa, audimus; non abnegamus ei fidem quam promisimus, non tantum promisimus, sed juravimus; quia si os, quod simpliciter mentitur occidit animam, valde est inconsequens, ut os, quod cum perjurio mentitur, non occidat animam. Et si perdat omnes, qui loquuntur mendacium, multo amplius perdit omnes, qui loquuntur perjurium. Quod autem per tuam auctoritatem hujus rei nobis promittis impunitatem: noli, obsecro, noli in fratres peccare, noli pusillos Christi scandalizare, noli per perversam securitatem infirma auditorum corda in irrevocabile praeceptum tecum submergere. Illud nec nos sequi, nec tu potes praecipere. Si super cathedram Moisi sederes, necesse haberem servare et facere, quod juberet. Cathedram Moisi desendisti; ab omni, quam tibi debebam obedientiae necessitate me absolvisti. Quid enim dicit Moïses? “Non assumes nomen Dei tui in vanum.” (Exod. xx. 7.) Et alibi: “Non perjurabis in nomine meo, etc.” (Lev. xix. 12.)—Sed dicit dominus Papa: perversus est, cui jurasti, impius est, perjurus est, sceleratus est, fidem ei non debes. In truth this may not be the case with him: Sed sit impius, sit perversus, sit quicquid dominus Papa in eum dicere voluerit acrius, num ideo sacramentum ei factum infringere, et quia ille malus est, ideo ego sacrilegus existendo me in aeternam damnationem videns et sciens debedo intrudere? Prorsus nec debedo, nec facio, quia Patres sanctos—sacramentum cum perversis et a Deo alienis hominibus suscepisse, et summa illud cautela observasse, in Scripturis sanctis et legi et memoro. As examples, especially Joshua's oath sworn to the Gibeonites. (Jos. ix.) Joshua might then have said to the people: Absolvo

quired Henry to satisfy the papal demands.²⁶ And now the anger of the fickle king veered so swiftly round to fright, that at Canossa he sued and obtained from Gregory, with the greatest humiliations, release from excommunication (25–28. Jan. 1077).²⁷ But just as quickly he suffered his mind to be changed again by the Lombards, who were imbittered against the Pope, and meditated revenge.²⁸ The majority of German princes assembled at Forchheim (March, 1077) now elected Rudolph, duke of Swabia, to be their king.²⁹ Yet Henry retained adherents enough to make head against them. So long as the struggle was doubtful, notwithstanding his former declarations, and in spite of the reproaches of Rudolph's party, Gregory withheld his decision.³⁰ Not till he thought Henry com-

vos a sacramento, quia idolorum cultores—inter vos reservare voce Domini prohibiti estis.
—Juramentum fraude et mendacio initum evacuare non timueritis.—Sed illi sint, ait, illi
idololatiae, nos eis non in dolis sed in nomine Domini Dei Israel juravimus. Illi nos
fraudulenter deceperunt, nos mendacium eorum execrantes a veritate in nomine Domini
confirmata nequaquam declinabimus, etc.—Haec nos, inquiunt, insuperabilis veritatis
sequentes testimonia, nulla seductorum hominum circumventione a sacramento volenter
et legitime facto declinabimus; etiamsi angelus de caelo aliter nobis evangelizaret, nos
illum parvipendere, contemnere, anathematizare non dissimulabimus.

²⁶ Bruno in Pertz, viii. 364. Lambertus, *ibid.* p. 252.

²⁷ Gregory announces this himself to the Germans (*lib. iv. ep. 12, ad Germanos*): tandem (Rex)—ad oppidum Canusii, in quo morati sumus, cum paucis advenit, ibique per triduum ante portam deposito omni regio cultu miserabiliter, utpote discalceatus et laneis indutus, persistens, non prius cum multo fletu apostolicae miserationis auxilium et consolationem implorare destitit, quam omnes qui ibi aderant—ad tantam pietatem et compassionis misericordiam movit, ut pro eo multis precibus et lacrymis intercedentes, omnes quidem insolitam nostrae mentis duritiam mirarentur, nonnulli vero in nobis non apostolicae severitatis gravitatem, sed quasi tyrannicae feritatis crudelitatem esse clamarent. Denique instantia compunctionis ejus, et tanta omnium qui ibi aderant supplicatione devicti, tandem cum relaxato anathematis vinculo in communionis gratiam et sinum s. matris Ecclesiae recepimus. After this comes the oath Henry took: *Ego Henricus Rex de murmuratione et dissensione, quam nunc habent contra me Archiepiscopi et Episcopi, Duces, Comites, caeterique Principes regni Teutonicorum, et alii, qui eos in eadem dissensionis causa sequuntur, infra terminum, quem dominus Papa Gregorius constituerit, aut justitiam secundum judicium ejus, aut concordiam secundum consilium ejus faciam.—Item si idem dominus P. Gregorius ultra montes, seu ad alias partes terrarum ire voluerit, securus erit ex mei parte, etc.* Comp. Lambertus in Pertz, vii. 256 ss. Also Wedekind's Notes to some writers of epistles in the middle ages in Germany, vol. i. Hamb. 1823, s. 169. Bernoldus in Pertz, vii. 433.

²⁸ Lambertus in Pertz, vii. 263, who closes with this.

²⁹ Paul Bernried. c. 93. In Forchheim the Papal Legates declared, *Papam petere, ut novi Regis electionem, de qua audierat, in adventum ejus differrent, si hoc sine periculo fieri posse perpenderent.* But when the nobles saw danger in delay, legati—responderunt, *sibi quidem optimum videri, si Regis constitutionem—in adventum domini Papae sine periculo differre possent: caeterum provisionem regni non tam in eorum consilio, quam in Principum arbitrio sitam esse.* About this and about what follows see also Bernoldus, l. c. Bruno in Pertz, vii. 365. Stenzel, i. 418, ii. 148.

³⁰ The Saxons, Thuringians, and Swabians were on Rudolph's side; the Bavarians

pletely conquered at Flarcheim near Mühlhausen (27th January, 1080) did he repeat his sentence of excommunication against him, and declare for Rudolph (March, 1080).³¹ On the other hand,

and Franconians on Henry's. Bruno in Pertz, vii. 369: *Interea dominus Apostolicus, apostolici vigoris oblitus (qua causa nescimus), multum est a priore sententia mutatus. Nam qui prius Heinricum cum omnibus suis adjutoribus apostolica severitate excommunicaverat, eique regnandi potestatem potenter interdixerat, et omnes, qui ei fidelitatem jurassent, a juramenti nodis apostolica auctoritate absolverat, et electionem novi Regis consensu suo confirmaverat, nunc per literas mandavit, ut concilio facto Rex uterque convocatus audiatur, et quem justitia regnare permiserit, altero deposito tutus in regno confirmetur.* Thus decreed the council at Rome in the year 1078 (*Mansi*, xx. 504). Whereupon, idonei-nuntii e latere apostolicae sedis, were to go into Germany and hold this council: thus also Gregorius, lib. iv. ep. 24, ad Germanos ann. 1087, and Gregorii epist. a syn. Rom. ann. 1079, in partes Teutonicas missa (*Mansi*, xx. 522). Thereupon Rudolph's party dispatched five letters to Gregory, one after the other, full of grievances, in Bruno, p. 371 ss. (for the chronological order of these see Stenzel, ii. 153). In the first: *Cum illa anathematis absolutio per epistolam vestram nobis innotesceret, de sententia regni, quae in eum processit, nihil mutatum esse intelleximus, sed ne nunc quidem, si mutari possit, intelligimus. Absolutio enim illa juramentorum qualiter cassari possit, nullo modo percipere valemus. Sine sacramentorum autem observatione regiae dignitatis officium nequamquam administrari potest.*—*Cumque de electo nobis Rege et non de Regibus spes magna ad refocillandum Imperium succresceret, ecce ex insperato literae vestrae advenientes, duos in uno regno Reges prouant, duobus legationem decernant. Quam regii nominis pluralitatem, et quodammodo regni divisionem divisio quoque populi et studia partium subsecuta sunt, etc.* On this head Gregory justifies himself, lib. vii. ep. 3, ad Germanos: *Pervenit ad nos, quod quidam ex vobis de me dubitant, tamquam in instanti modo necessitate usus sim saeculari levitate. Qua certe in causa nullus vestrum praeter instantiam praeliorum majores me et patitur angustias, et suffert injurias. Quotquot enim Latini sunt, omnes causam Henrici praeter admodum paucos laudant ac defendant, et per nimiae duritiae ac impietatis circa eum me redarguant. Quibus Dei gratia omnibus sic restititus haec tenus, ut in neutram adhuc partem, nisi secundum justitiam et aequitatem, secundum nostrum intellectum declinaremus.* Nam si legati nostri aliquid contra quod illis imposuimus egerunt, dolemus: *quod ipsi tamen (sicut comperimus) tum violenter coacti, tum dolo decepti fecerunt.* Yet Bruno winds up the year 1079 with the words: *Sic totus annus ille consumitur, ut fere nihil memorabile fieret in nostris partibus, nisi quod apostolici legati frequenter ad utrasque partes venerunt, et nunc nobis, nunc hostibus nostris apostolicum favorem promittentes, ab utrisque pecuniam, quantam poterant more Romano conquirere, secum detulerunt.*

³¹ Rudolph sent ambassadors to the Council at Rome, and had the old accusations against Henry brought forward (in *Mansi*, xx. 536). Thereupon the Pontiff pronounced the Bull of Excommunication and Dethronement (ib. p. 534) in the form of a prayer to Peter and Paul, like the earlier one (note 24), but with the remarkable conclusion: *Ipse autem Henricus cum suis fautoribus in omni congressione belli nullas vires, nullamque in vita sua victoriā obtineat. Ut autem Rudolphus regnum Teutonicorum regat et defendat, quem Teutonici elegerunt sibi in Regem, ad vestram fidelitatem; ex parte vestra dono, largior et concedo omnibus sibi fideliter adhaerentibus absolutionem omnium peccatorum: vestramque benedictionem in hac vita et in futura, vestra fretus fiducia, largior.*—*Agite nunc, queso, Patres et Principes sanctissimi, ut omnis mundus intelligat et cognoscat, quia, si potestis in caelo ligare et solvere, potestis in terra imperia, regna, principatus, ducatus, marchias, comitatus et omnium hominum possessiones pro meritis tollere unicuique et concedere.*—*Si enim spiritualia judicatis, quid de saecularibus vos posse credendum est: et si angelos dominantes omnibus superbis principibus judicabitis, quid de illorum servis facere potestis?* Addiscant nunc Reges et omnes saeculi Principes, quanti vos estis,

Henry caused Gregory's deposition to be published afresh, by the synods at Mayence and Brescia (June, 1080): in Brescia, at the same time, Guibert, archbishop of Ravenna, was elected to the Papacy under the name of Clement III.³² When Rudolph fell in battle at Merseburg soon after (Oct. 1080), Henry's adherents increased extraordinarily,³³ and the Pope's condition became dangerous. Gregory, however, could not be thus shaken in his resolution. He had roused his enemies to great exasperation,³⁴ his adherents to fanatical hatred against them:³⁵ and to yield would

quid potestis, et timeant parvipendere jussionem Ecclesiae vestrae: et in praedicto Henrico tam cito judicium vestrum exercete, ut omnes sciant, quia non fortuito, sed vestra potestate cadat. The story of the crown sent from Gregory to Rudolph with the inscription: *Petra dedit Petro, Petrus diadema Rudolpho*, first mentioned by Sigebert. Gembl. ann. 1077, as a report taken from Otto Frising. de gest. Frid. i. c. 7, and Guilelm. Appul. lib. iv., is probably a fable. Voigt, s. 530. On the other hand, he did blow up the flame of war anew by his letters to Rudolph, and his followers (Udalrichi Babenb. codex, no. 153): *Cum veritas ipsa dicat, omnium, qui propter justitiam persecutionem patiuntur, regnum esse caelorum, et Apostolus clamet, neminem, nisi qui legitime certaverit, posse coronari, nolite, filii mei, in hoc, qui vos jam multo tempore exagitat, bellico furore desicere, nolite per ullius fallentis personae mendacia de nostro fideli adjutorio dubitare, etc.*

³² Hugon. Flavin. chron. Virdun. ap. Labb. p. 225, Ekkehardi chron. in Pertz, viii. 203. Act of the Council of Brescia in Udalrichi Bab. codex, no. 164.

³³ To this contributed the legend found in Siegb. Gembl. ad ann. 1080: Hildebrandus P. quasi divinitus revelatum sibi praedixit, hoc anno falsum Regem esse moriturum. (Gregory pledges himself ad Episc. Tridentinum in Udalrichi Babenb. cod. no. 152; festum b. Petri non prius transeundum, quam in cunctorum notitia certissime clareat, illum [Henricum] justissime esse excommunicatum. Bonizo in Ocfele, ii. 819, records that Gregory had declared on the second Easter-day after the excommunication of Henry: omnibus vobis notum sit, quod, si usque ad festivitatem s. Petri Henricus non resipuerit, mortuus erit aut depositus: quod si hoc non fuerit, mihi credi amplius non oportet, and that on this account it was often said afterward, that he had pronounced sentence of condemnation against himself. Bonizo, on the other hand, would have the saying thus fulfilled, morte spirituali Henricum mortuum et ante divinos oculos depositum esse.) Then there is the story of Rudolph's dying words in Ekkehardus (Pertz, viii. 204): *Ecce haec est manus, qua domino meo Heinrico fidem sacramento firmavi, ecce ego jam ejus regnum et vitam derelinquo praesentem: videte, qui me solium ejus descendere fecistis, ut recta via vestra monita sequentem duxissetis.* Yet Bruno in Pertz, vii. 381, paints Rudolph's last moments in very different colors.

³⁴ Theoderici Episc. Virdun. epist. ad Gregorium vii. an. 1080 (s. not. 17), p. 215: *Jam enim omni pudore evacuato—in aperta paternitatis vestrae vituperia feruntur, in vestram damnationem quanto acrius egerint, tanto acceptius se Christo obsequium praestare arbitrantur.—Et de vita quidem vestra et conversatione indigna sentientes, vos ipsum laxatis loquacitatis habenis execrantur, et vituperant ecclesiasticas sanctiones, et introducta per vos instituta irrident et conculcant: ad quae defendenda, si eos ad librorum attestaciones et ss. Patrum auctoritates evocamus; hoc vero, hoc est, ajunt, quod volumus, hoc precamur et cupimus.*

³⁵ The Priest Manegold of Luttenbach, afterward founder of the Monastery of Marbach in Alsatia (about him see Usserman ad Berthold. Const. in the monument. res Aleman. illustrant. ii. 161), furnishes us with the extreme of this style, in his work published in answer to this epistle of Theoderic. (MS. in Carlsruhe, selections from it may be found

have been not only an abasement, but self-annihilation. It was no longer a public but a personal cause.³⁶ In Italy, Gregory gave way to Robert Guiscard, to win his assistance.³⁷ He tried every means in ill-fated Germany to make the breach incurable.³⁸

in Schlozer's *Briefwechsel histor. und polit. Inhalts*, viii. 364, and in the *Beiträge zur Gesch. und Literatur aus einigen Handschriften der Markgräfl. Bibliothek*. Frankf. a. m. 1798. s. 153.) Cap. 38 and 39 show, quod hi, qui excommunicatos non pro privata injuria, sed Ecclesiam defendendo interficiunt, non ut homicidae poeniteantur vel puniantur. (Thus also Urban II. below § 48, note 15.) Cap. 41: quod pro Henricianis non sit orandum. For they were guilty of sin against the Holy Spirit, *i. e.* per malitiam et invidiam fraternalm oppugnare caritatem post acceptam gratiam Spiritus s. quod peccatum Dominus neque hic neque in futuro sacculo dimitti dicit. (As to Manegold many even of the partisans of Gregory were of opinion that: Fuit homo importunus: optamus, ut liber ipsius cum ipso sit sepultus. On the other hand, others held his writings to be, quasi responsa caelestis oraculi. Gerholi dial. de differentia Clerici saec. et regul. in Pezii thesaur. aneed. ii. ii. 491).—Compare the traits which Guenierius narrates (see note 17) p. 237: Alii loca sacra sacrilegorum ingressu et egressu contaminata repurgatur—patentibus per diem et noctem ecclesiae januis, ventum recipiunt. Alii in lapides et ligna, profanorum, ut asserunt, contactu dechristianata, scopis animadvertentes et aqua, superstitionis lapidum baptistae, dum judaica revocant baptismata, de stultitia insaniam faciunt.

³⁶ Theoderici epist. p. 227: Illud sane quod de ecclesiasticis ventilatur beneficiis ab omni sacerdotalium jure perpetua emunitate asserendis, de Episcopis quoque manu Principis in episcopatum minime introducendis, etsi pro rei novitate primo suo aspectu offenditionem generat: aliquam tamen speciem rationis exhibit, si non re [leg. res] vel tali tempore mota, vel tali impetu properata, vel tali foret contentione agitata. Quis enim non videat, non ex religionis zelo, sed ex principis odio haec actitari, cum personis per sacram Rodulfi vel Herimanni dextram non introductis, sed subintroductis, benedictiones non negentur, pallia domum transmittantur, cum his, qui sub aliis Regibus degunt, mitius agatur: nostris autem Episcopis, Archiepiscopis legitime electis, communi assensu receptis, laica etiam communio interdicatur, et in nulla deprehensi culpa, Heinrico solum quia fidem tenent et perjurare timent, reprobi judicentur.

³⁷ Robert had been excommunicated so early as 1074, for having appropriated Campania to himself, Leo Ostiens. chron. Casin. iii. c. 45. Without surrendering his acquisitions, he obtained forgiveness 1080, renewed his oath of allegiance (Part 1, § 23, note 11, comp. under Gregor. lib. viii. ep. 1), and Gregory invested him with the remarkable form (*ibid.*): Ego Gregorius P. investio te, Roberte dux, de terra, quam tibi concesserunt antecessores mei sanctae memoriae Nicolaus et Alexander. De illa autem terra, quam inuste tenes, sicut est Salernus, et Amalphia, et pars marchiae Firmanae, *nunc te patienter sustineo*, in confidentia Dei omnipotentis et tuae bonitatis, ut tu postea exinde ad honorem Dei et s. Petri ita te habeas, sicut et te agere et me suscipere decet sine periculo animae tuae et meae. Comp. Stenzel, 1, 470.

³⁸ See especially Gregorii, lib. ix. ep. 3, to his legates in Germany. He confesses there, Paene omnes nostros fideles, audita nece Rodulphi b. memoriae Regis, niti ad hoc nos crebris adhortationibus flectere, ut Henricum jampridem, sicut scitis, plura facere nobis paratum, cui ferme omnes Italici favent, in gratiam nostram recipiamus, etc. Nevertheless he thinks only of Henry's destruction: Si Henricus forte Longobardiam intraverit, admonere etiam te, carissime frater, volumus ducem Welphonem, ut fidelitatem b. Petro faciat.—Illum enim totum in gremio b. Petri desideramus collocare, et ad ejus servitium specialiter provocare. Quam voluntatem si in eo, vel etiam in aliis potentibus viris—cognoveris, ut perficiant elabora, nosque certos reddere diligenter procura. Then he prescribes the following oath of fealty for the man who should be chosen king of Germany: Ab hac horâ et deinceps fidelis ero per rectam fidem b. Petro Apostolo ejusque

Meanwhile Henry invaded Italy (March, 1081), laid waste the lands of Matilda, countess of Tuscany, without suffering himself to be turned aside by the appointment of a new pretender to the throne in the person of Hermann of Luxemburg (Aug. 1081), which was effected through the influence of the Papal party in Germany; at last (1084) he conquered Rome, and there celebrated his triumph with his Pope, Clement III. Robert Guiscard indeed relieved Gregory, who was shut up in the castle of St. Angelo, but he found even Rome alienated from him, and closed his days at Salerno († 25th May, 1085).³⁹

Authors also came forward on both sides in this grand struggle to defend the principles and the policy of their parties.⁴⁰ How

vicario Papae Gregorio, qui nunc in carne vivit: et quodcumque mihi ipse Papa praecepit, sub his videlicet verbis: *Per veram obedientiam, fideliter, sicut oportet Christianum, observabo.* De ordinatione vero ecclesiarum, et de terris vel censu, quae Constantinus Imp., vel Carolus s. Petro dederunt, et de omnibus ecclesiis vel praediis, quae apostolicæ sedi ab aliquibus viris vel mulieribus aliquo tempore sunt oblata vel concessa, et in mea sunt vel fuerint potestate, ita convenientiam cum Papa, ut periculum sacrilegii et perditionem animae meae non incurram: et Deo sanctoque Petro adjuvante Christo dignum honorem et utilitatem impendam: et eo die, quando illum primitus videro, fideliter per manus meas miles s. Petri et illius efficiar. Yet he gives his legates to understand: de his si quid minuendum vel *augendum* censueris, non tamen praetermissio integro fidelitatis modo, et obedientiae promissione; potestati tuae et fidei, quam b. Petro debes, committimus. He even yielded about the marriage of priests: Quod vero de sacerdotibus interrogasti, placet nobis ut impreäsentiarum, tum propter populorum turbationes, tum etiam propter bonorum inopiam, scilicet quia paucissimi sunt, qui fidelibus Christianis officia religionis persolvant, pro tempore rigorem canonicum temperando, debeatis sufferre. The reason alleged had existed from the first, but now the married priests must not be driven by proscription to join themselves to Henry's party.

³⁹ On these events see especially Bernold. Const. ann. 1081 ss. Stenzel, i. 472. On Gregory's death, Paul. Bernried. c. 108, 110. According to his account, at the time of his death he absolved all persons who had been excommunicated by him, praeter Henricum Regem dictum et Guibertum apostolicae sedis invasorem, et omnes illas principales personas, quae aut consilio aut auxilio favent nequitiae vel impietati illorum, and departed this life with the words: Dilexi justitiam et odivi iniquitatem, propterea morior in exilio. On the other hand, Agano, bishop of Autun, who was with him at his death (see the fragment in Perz. Archiv. vii. 220), relates: ipso die sui transitus ecclesiam adiit, allocutusque—populum—primo de credulitate corporis et sanguinis Domini nostri, deinde de intentione totius sui operis, imposita sibi stola absolvit cunctos quounque modo a se anathematizatos. We can well believe that, in the prospect of death, Gregory did not only wish to assert his orthodoxy on the doctrine of the Lord's Supper, but also took a milder view of the strife he had been engaged in. It is also likely that the general absolution was afterward disowned and restricted by his party. But a manuscript account which came into circulation in Germany (in Sigeb. Gembl. ad ann. 1085) is manifestly exaggerated, that, in extremis suis—confessus est Deo et s. Petro et toti Ecclesiae, se valde peccasse in pastorali cura, et suadente Diabolo contra humanum genus odium et iram concitasse. —Dimisit ac dissolvit vincula omnium bannorum suorum Imperatori et omni populo christiano, vivis et defunctis, etc. It is so far worthy of note, that it represents the view which many contemporaries took of the legality of the Papal usurpations. Comp. Sigfr. Hirsch de vita et scriptis Sigeberti Gembl. p. 139.

greatly the relations between the Papacy and the Empire had been changed in a short time, may be illustrated from the fact, that the decree of Nicolas II. on the Pope's election, which upon its first appearance was regarded as an encroachment on the Imperial rights, was now vindicated for the Imperial side, but on the Papal side was no longer considered satisfactory, and accordingly disclaimed.⁴¹

⁴⁰ See Stenzel, i. 495. G. Cassander, das Zeitalter Hildebrands fur und gegen ihn. Darmstadt, 1842. Besides the authors named at the beginning of this section, the following also should be pointed out. On Gregory's side especially, Anselmus Ep. Luicensis († 1086), libb. ii. contra Guibertum Antipapam, pro defensione Gregorii VII., written 1084 (in Canisius-Basnage III. i. 369, and in bibl. PP. Lugd. xviii. 602), Bernoldus Constant., monk in St. Blasien, afterward at Schathausen. By him, besides the apologeticus pro decretis Gregorii (in Gretseri opp. vi. 52. Mansi, xx. 404), are many letters and short treatises most fully reported in Monumenta res Alemannicas illustrantia, ii. 183. Bernardus, a scholastic in the Monastery of Peterhausen in Swabia, afterward a monk in Hirschau, to whom probably the apologeticus super excommunicationem Gregorii VII. in Gretseri opp. vi. 29 belongs, see Monum. res Alem. illustr. t. ii. observatt. praev. p. xxii. —On Henry's side, besides Sigebert of Gembloux (notes 17 and 25), Weinrich, scholastic in Treves (note 17), and Waltram, bishop of Naumburg (note 25), there is also Wido, afterward Bishop of Osnabrück, de Wiberto an in sedem apostolicam legitime fuerit in thronizatus, et Hildebrandus juste reprobatus, in Udalrici cod. epist. nr. 172, in Eccard. ii. 184.

⁴¹ Compare Part 1, § 23, notes 10 and 12. When Desiderius, abbot of Cassino (the future Pope Victor III.) appeared in the year 1082 before Henry IV. (chron. Casinense, lib. iii. c. 50, in Muratori scriptt. rer. Ital. iv. 467), Otto, bishop of Ostia, afterward Urban II., reminded him of the privilegium Nicolai P.—ut nunquam Papa in Romana Ecclesia absque consensu Imperatoris fieret, quod si fieret, sciret se non pro Papa habendum esse, atque anathematizandum. Desiderius answered: Neque Papam, neque Episcopum aliquem—nec ullum hominem hoc juste facere potuisse.—Quodsi hoc a Nicolao Papa factum est, nec pro humana stultitia potest aut debet amittere suam dignitatem Ecclesia, nec unquam debet a nobis hoc aliquatenus consentiri, nec Deo volente amplius fiet, ut Rex Alemannorum Papam constitut Romanorum. Comp. Anselmus Lucensis contra Guibertum Antipapam, lib. ii. (bibl. PP. Lugd. xviii. 609): Sunt item qui objiciunt, Nicolaum juniorem decreto Synodi constituisse, ut obeunte apostolico Pontifice successor eligeretur, et electio ejus Regi notificaretur: facta vero electione, et, ut praedictum est, Regi notificata, ita demum Pontifex consecraretur. Quodsi admittendum est, ut ratione factum dicatur, objicimus ad hoc confutandum, praefatum Regem et optimates ejus se ea constitutione indigos fecisse. Then, Nicolaum—quantum in se erat a papatu deposuerunt, et non men ejusdem in canone consecrationis nominari vetuerunt. Besides, they had not governed themselves according to the decretal. Praeterea autem praefatus Wiebertus aut sui, ut suae parti favorem ascriberent, quaedam in eodem decreto addendo, quaedam mutando, ita illud reddiderunt a se dissidens, ut aut pauca aut nulla exemplaria sibi concordantia valeant inveniri. Quale autem decretum est, quod a se ita discrepare, videtur, ut, quid in eo potissimum credi debeat, ignoretur? Sed ut tandem invincibili gladio feriamus, praefatus Nicolaus, unus scilicet Patriarcha, cum quolibet Episcoporum concilio non potuit abrumper, imo nec mutare non obviantia fidei praefata decreta sanctorum quinque Patriarcharum—et sanctorum Patrum,—in quibus non inveniuntur quidquam regiae protestati in Pontificium electione seu promotione concessisse, imo, ut praedictum est, consideribus cum eis christianissimis Imperatoribus et non contradictibus, leguntur sub perpetuo anathemate vetuisse.—His itaque decursis patet praefatum decreturn nullius momenti esse, nec unquam aliquid jurium habuisse. Et hanc dicens non

To estimate aright Gregory's method of procedure against Henry, his conduct toward William the Conqueror, King of England, should be contrasted with it. This Prince maintained his supremacy over the Church of his country with an iron arm;⁴² and the Primate Lanfranc, archbishop of Canterbury, did not feel himself bound to be made a martyr in behalf of Gregory, the supporter of his adversary Berengarius,⁴³ and of his new commands.⁴⁴ Accordingly, the law of celibacy received important lim-

praejudico beatae memoriae Papae Nicolao, nec quidquam ejus honori derogo, Patrum sententias Dei spiritu conditas sequendo. Homo quippe fuit; eique, ut contra fas ageret, surripi potuit. Bonizo in *Oefele*, ii. 818, says about the *decreta Nicolai junioris*, quibus anathemate interdictum ferunt, ut nemo adspirare audeat ad pontificatum Romanum, nisi ex consensu Regis ejusque filii, as follows: *quod falsissimum esse omnibus modis declarabitur, quamvis et si verum esset, tamen nullius momenti esset.* Nam etsi licet Romanis Pontificibus rigorem canonum temperare pro necessitate temporum, tamen non licet omnino destruere.—*Sed bona memoriae dominum Nicolaum ab hac liberemus infamia, et testibus idoneis eum talia non dictasse demonstremus, etc.* The Cardinal Deusdedit asserted in the year 1090, as well as Anselm, that the constitution of Nicolas was corrupted by Guibert's party. See *Baronius ad ann. 1059*, no. 31.

⁴² Eadmeri (a monk of the Clugniac order at Canterbury, afterward Bishop of St. Andrews in Scotland, about 1120) *historia novorum*, lib. i. (under Anselmi opp., ed. Gerberon, p. 29): *Usus atque leges, quas patres sui et ipse in Normannia habere solebant, in Anglia servare volens, de hujusmodi personis Episcopos, Abbates et alios Principes per totam terram instituit, de quibus indignum judicaretur, si per omnia suis legibus, postposita omni alia consideratione, non obedirent, et si ullus eorum pro quavis terreni honoris potentia caput contra eum levare auderet, scientibus cunctis, unde, qui, ad quid assumpti fuerint. Cuncta ergo divina simul et humana ejus nutum expectabant.*—*Non ergo pati volebat, quemquam in omni dominatione sua constitutum Romanae urbis Pontificem pro apostolico, nisi se jubente, recipere, aut ejus literas, si primitus sibi ostensae non fuissent, ullo pacto suscipere* (the first trace of the royal *Placet*.) *Primatem quoque regni sui, Archiepiscopum dico Cantuariensem, si coacto generali Episcoporum Concilio praesideret, non sinebat quiequam statuere aut prohibere, nisi quae suae voluntati accommoda, et a se primo essent ordinata.* Nulli nihilominus Episcoporum suorum concessum iri permettebat, ut aliquem de Baronibus suis seu Ministris, sive incesto, sive adulterio, sive aliquo capitali crimine denotatum, publice nisi ejus praecepto implacitaret aut excommunicaret, aut ulla ecclesiastici rigoris poena constringeret.—Lanfrancus inter alios, immo prae aliis, erat memorato Regi Wilhelmo acceptus. How William had unseated the Anglo-Saxon prelates, and robbed the churches, see *Lappenberg, Hist. of England*, ii. 96, 100.

⁴³ Part i. § 29, note 22.

⁴⁴ The Papal Legate Hubert, in the year 1079, had brought with him a brief to Lanfranc (Gregorii, lib. vi. ep. 30), in which the Pope, with reproaches for not having already appeared in Rome, commands him to come. Lanfranc's answer (in Lanfr. opp. ed. Dacherii, ep. 8, ed. Giles, ep. 11) turns aside the reproaches with startling coolness, makes no reply whatever to the command, and concludes: *Verba legationis vestrae cum praefato legato vestro, prout melius potui, domino meo Regi suggesti, suasi, sed non persuasi. Cur autem voluntati vestrae omnifariam non assenserit, ipsem et vobis tam verbis, quam literis innotescit* (see below, note 47). Lanfranci, ep. 59 ed. Dacherii, 65 ed. Giles, ad Hug. . . . (most likely 1081 to the Cardinal Hugo Blancus): *Non probo, quod Papam Gregorium vituperas, quod Hildebrandum eum vocas,—quod Clementem tot et tantis praecogniti tam propere exaltas.*—*Adhuc incognitum est humano generi, quales nunc sint, et*

itations at the synod of Winchester (1076).⁴⁵ The king refused the bishops summoned to Rome permission for their journey. He continued to exercise the right of investing Prelates.⁴⁶ He answered the Pope's aggressions with cutting coolness.⁴⁷ Yet Gregory ventured nothing further against this powerful monarch, glad enough that the king on his side advanced no further.⁴⁸

quales futuri sint in conspectu Dei. Credo tamen, quod gloriōsus Imperator sine magna ratione tantam rem non est aggressus patrare, nec sine magno auxilio Dei tantam potuit victoriam consummare. Non laudo, ut in Anglicam terram venias, nisi a Rege Anglorum licentiam veniendo prius accipias. Nondum enim insula nostra priorem refutavit: nec utrum huic obedire debeat, sententiam promulgavit. Auditis utrimque causis, si ita contigerit, perspicacius quid fieri oporteat, provideri valebit.

⁴⁵ Conc. Wintoniense ann. 1076 under Lanfranc's presidency (Mansi, xx. 462): Decretum est, ut nullus canonicus uxorēm habeat. Sacerdotum vero in castellis vel in vicis habitantim habentes uxores non cogantur ut dimittant; non habentes interdicantur ut habeant; et deinceps caveant Episcopi, ut Sacerdotes vel Diaconos non praesumant ordinare, nisi prius profiteantur, ut uxores non habeant.

⁴⁶ Gervasius Cantuariensis Mon. (about 1201) de discordiis inter Monachos Cantuar. et Baldwinum Archiepisc. (scriptt. x. Angli. Lond. 1652, fol. p. 1327): Petivit (Lanfrancus) Regem (Guilelmum), ut sibi donationem abbatiae concederet, sicut omnes praedecessores suos constat habuisse. Respondit Rex et dixit, se velle omnes baculos pastorales Angliae in manu sua tenere. Lanfrancus ad haec miratus est, sed propter maiores Ecclesiae Christi utilitates, quas sine Rege perficere non potuit, ad tempus siluit.

⁴⁷ Guilelmi R. ep. ad Gregorium in Baronius ann. 1079, no. 25: Hubertus legatus tuus, religiose Pater, ad me veniens ex tua parte me admonuit, quatenus tibi et successoribus tuis fidelitatem facerem, et de pecunia, quam antecessores mei ad Romanam Ecclesiam mittere solebant, melius cogitarem. Unum admisi, alterum non admisi. Fidelitatem facere nolui, nec volo: quia nec ego promisi, nec antecessores meos antecessoribus tuis id fecisse comporio. Pecunia tribus fere annis in Galliis me agente, negligenter collecta est. Nunc vero divina misericordia me in regnum meum reverso, quod collectum est, per praefatum mittitur, et quod reliquum est, per legatos Lanfranci Archiepiscopi fidelis nostri, cum oportunum fuerit, transmittetur. Thereupon Gregory writes, lib. vii. ep. i. to Hubert his Legate, dd. 24 Sept. 1079: pecunias sine honore tributas quanti pretii habeam, tu ipse optime potuisti dudum perpendere.—Verum multa sunt, unde s. Romana Ecclesia adversus eum queri potest. Nemo enim omnium Regum, etiam paganorum, contra apostolicam sedem hoc praesumit tentare, quod is non erubuit facere; scilicet ut Episcopos, Archiepiscopos ab Apostolorum liminibus ullus tam irreverentis et impudentis animi prohiberet.

⁴⁸ Lib. vii. ep. 23, ad Guilelm. (—gemma principum esse meruisti.)—ep. 25, ad eund. ep. 26, ad Mathildem Regin. Angl. ep. 27, ad Robert. Regis Angl. filium, all of the year 1080. Comp. especially lib. ix. ep. 5, ad Hugonem Diensem Episc. in the year 1081. This Legate had suspended the Norman bishops, because, when summoned to a Council, they did not appear. Gregory charges him to restore them, so as not to exasperate King William. Rex Anglorum licet in quibusdam non ita religiose, sicut optamus, se habeat; tamen—caeteris Regibus se satis probabiliorem ac magis honorandum ostendit. Unde non indignum debet existimari, posttestatem illius mitius esse tractandam.—Quare volumus, ut fraternitas vestra supra memoratis Episcopis—restitutionis literas mittat: et praefatum Regem in talibus ulterius sine assensu nostro non exasperet. Videtur enim nobis multo melius atque facilius lenitatis dulcedine ac rationis ostensione, quam austerritate vel rigore justitiae illum Deo lucrari, et ad perpetuum b. Petri amorem posse provocari.

§ 48.

VICTOR III. (1085-1087.) URBAN II. (1088-1099.)

After Gregory's death Henry IV. at first held so decided an ascendancy in Germany as well as in Italy, and Gregory's successors, Victor III. and Urban II.¹ were pressed so closely by the Imperial pope, Clement III.,² that the Gregorian party began to wish for peace.³

However, the posture of affairs soon changed in favor of this party. In Italy they had already gained the upper hand, since they had drawn over to their side Henry's son, Conrad, and raised him (1093) to the kingdom of Italy.⁴ But Urban II. became almost all-powerful in the west, when the enthusiasm for the crusades, issuing from his throne, seized on the spirits of all men with a powerful influence, and bound them to him with fresh bonds as the head of the church militant.⁵

¹ Urbani II. vita by Ruinart in the posthumous works of J. Mabillon and Th. Ruinart, vol. iii. (Paris, 1724. 4.), p. 1-410. ² Schlosser's Weltgesch. iii. 1, 200.

³ Bernoldus Const. ad ann. 1089: Sed jam aliquantulum diuturna regni discordia inter catholicos et schismaticos tepescere coepit, ut non jam bellum ad invicem, sed pacem componere sanius judicarent. Quapropter Duces et Comites s. Petro fideles cum Heinrico colloquium habuerunt, eique suum consilium et auxilium ad obtainendum regnum firmissime promiserunt, si Guibertum haeresiarcham vellet dimittere, et ad ecclesiasticam communionem per catholicum pastorem remeare. Quam quidem conditionem nec ipse multum respuit: si tamen in hoc ei Principes assentiri vellent, videlicet Episcopi, qui se cum Guiberto deponendos esse non dubitaverunt, eo quod in ejus parte ordinationem, immo execrationem, perceperunt. Hi ergo ei penitus hac vice dissuaserunt, ne s. matri Ecclesiae reconciliaretur. Henry could not allow the bishops devoted to him to fall, and receive instead his enemies the Papal antibishops.

⁴ Ekkehardus ad ann. 1099, in Pertz, viii. 211: Chonradus causam rebellionis suaue paucis tantum sibique familiarissimis in regno detegens,—per quasdam Italiae partes et nomen et dignitatem Regis annis ferè novem obtinuit.—Murmur, quod per totum Romanum imperium patris sui mores laniabat, quodque ipsum sibi offensae patris ac sua ab illo discessionis causa exitit, auribus propriis nunquam patiebatur inferri, semper illum dominum suum et Caesarem vel Imperatorem cognominans, etc. On the licentiousness of Henry, see vita Conradi Archiep. Salisburg. c. 2. (in Pez anecd. ii. iii. 224): primum locum gratiae apud Imperatorem habebant nobiles ac speciosae Abbatissae et moniales, necnon et aliae mulieres, forma et genere clarissimae, quae idcirco curiam sequebantur, eo quod venalis eis esset pudicitia et decus formae, et ad earum favorem et intercessio nem darentur episcopatus, abbatiae, praepositurae et caeteri ecclesiastici honores (that this passage refers to Henry IV. not Henry V., see Stenzel, ii. 134). Nevertheless the reasons, which Dodechinus (abbot of Disenberg, about 1200) in his append. ad Mariani Scotti chron. ann. 1093 (in Pistorius Struve, i. 661), suggests for Conrad's defection, are manifestly poisonous fabrications against Henry. Otbertus de vita Henrici IV. (in Goldasti apol. p. 214): Filius Imperatoris—a Mathilde persuasus—junctus inimicis patris, etc. F. v. Raumer's Gesch. der Hohenstaufen und ihrer Zeit, i. 235. Stenzel, ii. 159.

⁵ Among the western sources of history for the crusades, the most important are Wil-

The cruelties exercised by the infidels against the pilgrims in Palestine, especially since the barbarous Seljukian Turks came to power (1073), had long ere now raised hatred and exasperation in the western world.⁶ But Peter the hermit, delegated with full power from Urban II. (1094), blew the spark into flame. The synods at Placentia⁷ (March, 1095) and Clermont (Nov. 1095)⁸

termi Archiep. Tyrensis hist. rerum in partibus transmarinis gestarum down to 1180 in xxiii. libb., and Jacobi de Vitriaco (at last cardinal, † 1244) historiae orientalis et occident. libb. iii. down to 1218. They are gathered together, in *Gesta Dei per Francos s. orientalium expeditionum et regni Francorum Hierosolymitani hist.* (coll. Jac. Bongars) *Hanoviae*, 1611, t. ii. fol. A wider collection has been begun : *Recueil des historiens des croisades*, publié par les soins de l'académie royale des inscriptions et belles-lettres. *Historiens occidentaux*, t. i. in 2 parts, Paris, 1844, fol. (It comprises only Willermus Tyr. After the western sources, the Greek and Oriental will follow, all of them with a French translation.) WORKS : Fr. Wilken's *Gesch. der Kreuzzuge*. Leipzig, 1807–1832, 7 Theile *Histoire des croisades* par M. Michaud, 4 parties in 5 vols. 4ème édit. corrigé et augmentée. Paris, 1825. To this is added, *Bibliographie des croisades* par Michaud, 2 vols. Paris, 1822, and the *Bibliotheque des croisades* par Michaud, 4 Parties, Paris, 1829 (a book of reference to the sources and extracts from them. Partie iv. has also appeared by itself under the title, *Extraits des historiens Arabes relatifs aux guerres des croisades* par M. Reinaud). Besides these for the first crusade, there is Schlosser's *Weltgesch.* iii. 1, 128. Raumer's *Gesch. der Hohenstaufen*, i. 37. H. von Sybel's *History of the first Crusade*, Düsseldorf, 1841. (It begins with a critique on the sources and literature of the period.)

[Michaud's *History of the Crusades*, transl. by William Robson, 3 v. 12. Lond., New York, 1854.—H. Mill, *History of Crusades*, 8. Phil. 1845.—T. Keightley, *Crusaders*. Lond., 1852.—G. P. R. James, *Chivalry and the Crusades*. 1827.—For. Qu. Rev. vol. 2.—Influence of Crusades on Art and Literature. Oxf. Prize Essays, vol. iv.—The Crusades as described by Crusaders. Brit. Qu. Review, Aug., 1853.—Wilhelm v. Tyrus, *Geschichte der Kreuzzuge, und des Königreichs Jerusalem, aus dem lateinischen*, von Kansler, 8. 1844; reissue, 1848.—A. Jellinek, *Zur Geschichte d. Kreuzzüge* (from Hebrew MSS.). Berl., 1854.—Beugnot (Comte) *Mémoire sur le Régime dans les Principautés en Syrie*, etc. Par. 1854.

Pierre l'Hermite et les Croisades, par Michel Vion. Par., 1851.—L. Paulet, *Dissertation sur la naissance de Pierre l'Ermite*. Namur, 1854—M. L. Polain, *Pierre l'Ermite, Picard ou Liégois?* Liège, 1854—Chronicles of the Crusaders, Bohn. Lond., 1849.]

⁶ The first idea of a crusade is found in Sylvestri P. II. epist. ex persona Hierusalem devastata ad universalem Ecclesiam in the year 999 (in Bouquet x. 426).—Then Gregorii P. VII. lib. ii. ep. 31, ad Henricum R. in the year 1074 (compare Sybel s. 188). Cron. Casin. iii. c. 71: Victor III. (1086) de omnibus fere Italiae populis Christianorum exercitum congregans, atque vexillum b. Petri Apostoli illis contradens, sub remissione omnium peccatorum contra Saracenos in Africa commorantes direxit.

⁷ Bernold. Const. ad ann. 1095.

⁸ There is a description of this council by the eyewitness Baldric, bishop of Dol in Brittany, in his *historia Jerosolimitana* (in Bongars, i. 86), and by the contemporaries Robert, monk of Rheims, *Hist. Hierosolym.*, lib. i. (ib. p. 31), Fulcherius Carnotensis *gesta peregrinantium Francorum* (ib. p. 382), Guibertus, Abb. monasterii s. Mariae Novigentii, *hist. Hierosolym.* (ib. p. 478), Ekkehardi chron. in Pertz, viii. 211.—With regard to wearing the cross as a badge, Baldricus l. c. p. 88: statim omnes in vestibus superamictis consuerunt sanctae crucis vexillum. Sic etenim Papa praeceperat, et ituris hoc signum facere complacuerat: quippe praedicaverat summus Pontifex, dominum dixisse sequacibus suis: si quis non bajulat crucem suam et venit post me, non potest meus esse discipulus (Luc. xiv. 27). Idecirco debetis, inquit, vobis crucem coaptare vestris in vestibus: qua-

accomplished the work; and forthwith a countless host, doubtless in part actuated as much by love of adventure, oppression at home, and thirst for gain, as by religious enthusiasm,⁹ was ready to follow the beck of the Pope.

As director of this spiritual agitation, now issuing forth with overpowering might, and as the highest lord of the crusading army in process of formation, Urban acquired an immense degree of power.¹⁰ In full consciousness of this power, he renewed at Cler-

tenus et ex hoc tutiores incedatis, et his, qui viderint, exemplum et incitamentum suggeratis.—The general indulgence may be found in *Can. Claromontanus*, ii. (Mansi, xx. 816.) *Quicunque pro sola devotione, non pro honoris vel pecuniae adceptione, ad liberandam Ecclesiam Dei Jerusalem profectus fuerit, iter illud pro omni poenitentia [ei] reputetur.* Also in the speech of Urban in *Willerm. Tyr. lib. i.* (in Bongars, i. 640): *Nos autem de misericordia Domini, et bb. Petri et Pauli Apostolorum auctoritate confisi, fidelibus Christianis, qui contra eos arma suscepserint, et onus sibi hujus peregrinationis assumerint, injunctas sibi pro suis delictis poenitentias relaxamus.* *Qui autem ibi in vera poenitentia decesserint, et peccatorum indulgentiam et fructum aeternae mercedis se non dubitent habituros.*

⁹ *Baldricus l. c. p. 88: quaedam Christianis intima inspirabatur voluntas, ut paene omnes iter arriperent, si stipendiiorum facultas eis suppeteret.* Laetabantur patres, filii abscedentibus; gaudebant uxores, abeuntibus maritis dilectissimis, plusque tristabantur, quod remanebant.—*Excessit tamen medicina modum, quia plusquam debuit in quibusdam eundi voluntas surrepsit.* Nam et multi heremitae et reclusi et monachi domiciliis suis non satis sapienter relicts ire viam perrexerunt: quidam autem orationis gratia ab Abbatibus suis accepta licentia profecti sunt, plures autem fugiendo se subduxerunt. Multi etiam de gente plebeja crucem sibi divinitus innatam jactando ostentabant, quod est idem quaedam ex mulierculis praesumserunt: *hoc enim falsum deprehensum est omnino.* Multi vero ferrum calidum instar crucis sibi adhibuerunt, vel peste jactantiae, vel bonae suae voluntatis ostentatione. Sed de his, ut libet. Talibus enim rumoribus concursus euntium in tantum augmentabantur, ut jam esset numerus innumerus. *Ekkehardus in Pertz, viii. 213: Francigenis Occidentalibus facile persuaderi poterat sua rura relinquere.* Nam Gallias per annos aliquot nunc seditio civilis, nunc fames, nunc mortalitas nimis afflixerat, postremo plaga illa, quae circa Nivalensem s. Gertrudis ecclesiam orta est, usque ad vitae desperationem terruerat (an epidemic sickness). Reliquarum nationum plebes vel personae, aliae praeter apostolicum edictum prophetis quibusdam inter se nuper exortis seu signis caelestibus ac revelationibus ad terram se reprobmissionis vocatas, aliae se quibusvis incommoditatibus ad talia vota compulsos fatebantur: magna quippe pars eorum cum conjugibus ac prole totaque re familiari onusti proficisciabantur. *Petrus Diac. in chron. Casin. lib. iv. c. 11.: Fertur autem commotionem hanc apud Gallias occasione quorundam poenitentium principium accepisse.* Qui videlicet propterea quod de innumeris sceleribus digne apud suos poenitentie nequibant, et quod sine armis, utpote saeculares, inter notos conversari vehementer erubescabant, auctoritate atque consilio s. memoriae P. Urbani—ultramarinarum iter ad sepulcrum Domini a Saracenis cripendum, in poenitentiam et remissionem peccatorum suorum illis injunctum, fide promissima se arripere sponderunt, certi et indubii redditi, quod quicquid adversi, quicquid periculi, quicquid denique incommodi illis contingeret, loco poenitentiae a Domino recipiendum, etc. *Willerm. Tyr. lib. i.* (in Bongars, i. 641): *Nec tamen apud omnes erat in causa Dominus, et virtutum mater discretio votum excitabat: sed quidam ne amicos desererent, quidam ne desides haberentur, quidam sola levitatis causa, aut ut creditores suos—declinantes eluderent, aliis se adjungebant.* *Wilken, i. 59.*

¹⁰ From Urban's speech at Clermont, *Willerm. Tyr. p. 640: Interim vero eos, qui ar-*

mont, in Philip's own dominions, the sentence of excommunication pronounced against this monarch for his marriage with Bertrade,¹¹ and, in the spirit of Gregory VII., abolished every trace which yet remained unremoved of the dependence of the clergy upon the laity.¹² Wherever the crusading enthusiasm penetrated, judgment was passed against Henry IV., and Clement III., his Pope. Thus, though Henry still maintained his ascendancy in Germany,¹³ Clem-

dore, fidei ad expugnandos illos laborem istum assumserint, sub Ecclesiac defensione et bb. Petri et Pauli protectione, tanquam verae obedientiae filios recipimus, et ab universis inquietationibus, tam in rebus, quam in personis, statuimus manere securos. Si vero quisquam molestare eos interim ausu temerario praesumserit, per Episcopum loci excommunicatione feriatur, et tamdiu sententia ab omnibus observatur, donec et ablata reddantur, et de illatis damnis congrue satisfiat. Compare again the story of the Chron. Casauriense, written about the year 1182, lib. v. init. (in Muratorii scriptt. rer. Ital. II. ii. 872): Urbanus dolens, quia Saraceni occupaverant s. civitatem Hierusalem,—praedicavit remissionem peccatorum, et vice sibi tradita a Deo omnibus dedit, quicunque Hierusalem tendenter, et civitatem et terram transmarinam, quae a Saracenis possidebatur, liberarent. Adjiciens etiam hoc, ut si quisquam in via, sive in pugna, pro Christo moreretur, in numero Martyrum absolutus ab omnibus peccatis suis computaretur. Et dum totus mundus post eum curreret, avidus remissionem peccatorum accipere, et in numero ss. Martyrum esse, contigit, ut hoc praedicans praedictus summus Pontifex devenerit Thyetum.—Quod agnoscens Grimoaldus (Abbas monast. Casaur.) accessit ad eum, et expositis calamitatibus Ecclesiae suae et destructione funditus, cum maxima reverentia a praedicto P. Urbano suscepimus est, et sub protectione Romanae Ecclesiae, quam hactenus Abbatia s. Clementis ignoraverat, quia ab Imperatoribus gubernabatur, meruit collocari. Hic primus ab illo in Abbatem consecratus, baculum pastorelam in loco sceptri regalis, quod antecessores sui, et ipse ex dono Imperatoris in dextera portabant, suscepit, etc. In the Chronicle this scene is represented as happening in the year 1098; on this occasion the following remarkable words are put into the mouth of Urban (p. 771):

Caesaris ob sceptrum baculum tibi porrigo dextrum,
Quo bene sis fretus : plus Caesare dat tibi Petrus.

¹¹ With regard to the whole story, especially with a view to refute the idea which sprung up in the 15th century, that during Philip's excommunication the public documents were not inscribed regnante Philippo, but regnante Christo, see David Blondellus de formula Regnante Christo in veterum monumentis usu. Amstelod. 1646. 4. p. 1–319.

¹² The way was made for this in Concil. Melfitan. ann. 1090, can. 11 (Mansi, xx. 723): Ne gravamen aliquod sancta patiatur Ecclesia, nullum jus laicis in clericos esse volumus et censemus. Unde cavendum est, ne servilis conditionis aut curialium officiorum obnoxii ab Episcopis promoveantur in clerum.—Quod si forte clericorum aliquis cuiuslibet laici possessionibus usus fuerit, aut vicarium, qui debitum reddet, inveniat, aut possessione cedat, ne gravamen Ecclesiae inferatur. Can. Clarom. xvii. : Ne Episcopus vel Sacerdos Regi vel alicui laico in manibus ligiam fidelitatem faciat. (According to Maimbourg, hist. de la décadence de l'Empire après Charlemagne, and de Marca de Conc. Sac. et Imp. lib. viii. c. 21, § 4. Gregory VII. had already forbidden this. See on the other side Enr. Noris istoria delle investiture, Mant. 1741, fol. p. 279.) The reason which the Pope urges for this purpose is the same according to Roger de Hoveden, only more strongly expressed, with that which Hincmar had already laid down (see Part I, § 24, note 5). Nevertheless this canon has never been brought into legal use, see de Marca, l. c. ss.—Besides can. Clarom. xv. : Ut nullus ecclesiasticum aliquem honorem a manu laicorum accipiat. xvi. : Interdictum est, ne Reges vel alii Principes aliquam investituram de ecclesiasticis honoribus faciant.

¹³ Ekkehardus in Pertz, viii. 214: Orientalibus autem Francis, Saxonibus et Thurin-

ent III. was hunted out of Rome by a crusading army,¹⁴ and lost all his influence in Italy († 1100). However, even this turn of affairs failed to induce Roger, count of Sicily, to surrender his seigniorial rights in ecclesiastical matters. And in order to preserve this indispensable ally, Urban granted him the rank of Papal Legate in Sicily (1098, *monarchia ecclesiastica Siciliae*).¹⁵

The mighty crusading army actually conquered Jerusalem (15 July, 1099), and there rose a kingdom of Jerusalem, in which the Pope exercised considerable influence even over secular affairs.

§ 49.

PASchal II. (1099–1118.)

Paschal II. maintained the same principles, but not the same firmness as his immediate predecessors. Philip, king of France,

gis, Bajoariis et Alemannis haec buccina minime insonuit propter illud maxime schisma, quod inter regnum et sacerdotium a tempore Alexandri Papae usque hodie tam nos Romanis, quam Romanos nobis invisos et infestos jam heu! confirmavit. Inde est, quod omnis paene populus Teutonicus, in principio profectio[n]is hujus causam ignorantes, per terram suam transeuntes tot legiones equitum, tot turmas peditum, totque catervas ruricolarum, feminarum ac parvulorum, quasi inaudita stultitia delirantes, subsannabant, ut pote qui pro certis incerta captantes, terram nativitatis vane relinquenter, terram reprobmissionis incertam certo discrimine appetenter, renuntiarent facultatibus propriis, inharent alienis. Sed quamvis nostra gens caeteris multo sit insolentior, respectu tamen miserationis divinae inclinatur tandem ad verbum ejusdem remunerationis furor Teutonicus, a commeantum scilicet turbis rem ad integrum edoctus.

¹⁴ Fulgerius Carnot. (in Bongars, i. 384), Otto Frising. viii. cap. 6. The manner in which fanaticism had overturned all moral perceptions, is especially well shown by the declaration of Urban II. ad Godofred. Ep. Lucanum (in Gratiani decret. P. ii. caus. xxiii. qu. v. c. 47): Non enim eos homicidas arbitramur, quos adversus excommunicatos zelo catholice Matris ardentes, aliquos eorum trucidasse contigerit.

¹⁵ On this point writes the contemporary Gaufridus Malaterra, in his hist. Sicula, lib. iv. c. 29 (in Murator. scr. rer. Ital. v. 601). In Urban's Privilegium (l. c. and in Mansi, xx. 659) we find this: Quia—probitas tua—s. sedi apostolicae devotam se multis modis semper exhibuit, nos in specialem atque carissimum filium ejusdem universalis Ecclesiae te assumsimus. Idecirco de tuae probitatis sinceritate plurimum confidentes, sicut verbis promisimus, ita etiam literarum auctoritate firmamus: quod omni vitae tuae tempore, vel filii tui Simonis, aut alterius, qui legitimus tui haeres extiterit, nullum in terra potestatis vestrae, praeter voluntatem aut consilium vestrum, legatum Romanae Ecclesiae statuemus: quin immo, quae per legatum acturi sumus, per vestram industriam legati vice exhiberi volumus, quando ad vos ex latere nostro miserimus, etc. Against the integrity of this document and the natural meaning of it writes Baronius, ann. 1097, no. 18–143 (for this reason vol. xi. was forbidden in Spain 1610, and this Excursus is left out in the Antwerp edition of 1647). No. 37 naively and truly enough says: Potuitne (Urbanus) tanta concessisse Rogerio, quorum partem aliquam tantum si Imp. Henrico—cessisset, pacem proculdubio universalis Ecclesiae redemisset, et tot tantisque cladibus afflictam diutius Ecclesiam liberasset? Against Baronius L. E. du Pin défense de la monarchie de Sicile contre les entreprises de la Cour de Rome. Amsterd. (Lyon) 1716, in 4 and 12.

who had renewed his connection with Bertrade, he caused indeed to be excommunicated by his Legates at the Synod of Poictiers (1100),¹ and thus compelled him to obedience (1104).² But soon after Philip was living again publicly in marriage with Bertrade, without being further troubled by Paschal.³ He brought the struggle of Anselm, archbishop of Canterbury, with Henry I., king of England, about investiture and oaths⁴ of fealty, to an end, by sanctioning the latter (1106).⁵ The French bishops, among whom a

¹ Mansi, xx. 1117. Blondellus de formula Regn. Christo, p. 54.

² About Conc. Balgenciacense (at Beaugencie) in the year 1104, see Iwonis epist. 144 ad Paschalem P.—Concil. Parisiense in the year 1105. Mansi, xx. 1193.

³ Blondellus, l. c. p. 61.

⁴ Concerning Anselm's former quarrel with William Rufus, as well as this one above mentioned, see Anselm's bosom friend Eadmer, *historia novorum* (libb. vi. 1066–1122) and ejusd. *de vita s. Anselmi* libb. ii., both given under Anselmi opp., ed. G. Gerberon, Paris, 1675 and 1721, fol. Mohler's *Schriften und Aufsatze*, herausgeg. v. Dollinger, i. 87. Lappenberg's *Gesch. v. England*, ii. 193, 248. Gu. R. Veder, diss. de Anselmo Centuar. Lugd. Bat. 1832. 8. p. 34. F. R. Hasse's *Anselm of Canterbury* (Leipzig, 1843), i. 292.

[Franck, Anselm, 1840.—*De Rémusat, Saint Anselme de Canterbury, et la lutte des deux puissances.* Par., 1852.—St. Anselm, par M. A. Charma, of Caen. Par., 1853.]

⁵ Anselm had brought with him from Italy, where he had resided from 1097–1100, the new maxims about the oath of fealty (see § 48, not. 12). How they were received in England see in Anselmi lib. iii. ep. 47, ad Paschalem P. (falsified in Gerberon's edition, pure in Wharton, *Anglia sacra* ii. 178): *Postquam revocatus ad episcopatum redii in Angliam, ostendi decreta apostolica, quae in Romano concilio praesens audivi: ne scilicet aliquis de manu Regis aut alicuius laici Ecclesiarum investituras acciperet, ut pro hoc ejus homo fieret; nec aliquis haec transgredientem consecrare praesumeret. Quod audientes Rex et Principes ejus, ipsi etiam Episcopi et alii minoris ordinis tam graviter acceperunt, ut assererent, se nullo modo huic rei assensum praebituros, et me de regno potius quam hoc servarent expulsuros, et a Romana Ecclesia se discessuros. Unde, reverende Pater, vestrum petiti per epistolam nostram consilium, etc. Epist. Henrici ad Paschalem P. ann. 1103, from Bromptoni (about 1326) chron. in Rymer foedera, etc., *Regum Angliae* ad h. a. He promises the Pope, eos honores et eam obedientiam, quam tempore patris mei antecessores vestri in regno Angliae habuerunt,—eo videlicet tenore, ut dignitates, usus et consuetudines, quas pater meus—in regno Angliae habuit, ego—integre obtineam. Notumque habeat Sanctitas vestra, quod me vivente, Deo auxiliante, dignitates et usus regni Angliae non minuentur. Et si ego, quod absit, in tanta me dejectione ponerem, optimates mei, immo totius Angliae populus id nullo modo pateretur. Habita igitur, carissime Pater, utiliori deliberatione, ita se erga nos moderetur benignitas vestra, ne—a vestra me cogatis recedere obedientia. The King's firmness prevailed at length, 1106, Paschal's ep. ad Anselmum dd. x. Kal. April. in Eadmeri hist. nov. lib. iv. p. 74, in Mansi, xx. 1003: Te autem, frater in Christo venerabilis et carissime, ab illa prohibitione sive, ut tu credis, excommunicatione absolvimus, quam ab antecessore nostro s. memoriae Urbano P. adversus investituras aut hominia factam intelligis. Tu vero eos, qui investituras acceperunt, aut investitos benedixerunt, aut hominia fecerunt,—suscipito, et eos vice nostrae auctoritatis absolvo:—si qui vero deinceps practer investituras Ecclesiarum praelationes assumserint, etiamsi Regi hominia fecerint; nequaque ob hoc a benedictionis munere arceantur, donec per omnipotentis Domini gratiam ad hoc omittendum cor regium tuac praedicationis imbris molliatur.—Eadmer, p. 76, thus interprets this passage: Papa—concesserat hominia, quae Urbanus P. aequo ut investituras interdixerat, ac per hoc Regem sibi de investituris consentaneum fecerat. At a synod in London, 1107, the new arrangement was solemnly proclaimed. Eadmer, l. c.]*

more moderate view of the controversies of the time generally prevailed,⁶ yielded to his claims without much reluctance.⁷

Against the Emperor, Henry IV.,⁸ Paschal unceasingly sum-

⁶ Compare the opinion of Ivo, bishop of Chartres, distinguished among the French bishops for his learning, particularly in canon law, ep. 69, ad Hugonem Archiep. Lugdun. sedis apost. legatum (in the year 1099): *Factum est, ut imperasti, et manus a consecratione Senonensis electi continuimus.—Quod autem scrispisti, praedictum electum investitum episcopatus de manu Regis accepisse, nec relatum nobis ab aliquo qui viderit, nec cognitum. Quod tamen si factum esset, cum hoc nullam vim sacramenti gerat in constituendo Episcopo; vel admissum, vel omissum, quid fidei, quid sacrae religioni officiat, ignoramus, cum post canonicam electionem Reges ipsos apostolica auctoritate a concessione episcopatuum prohibitos minime videamus. Legimus eni, sanctae recordationis summos Pontifices aliquando apud Reges pro electis Ecclesiarum, ut eis ab ipsis Regibus concederentur episcopatus, ad quos electi erant, intercessisse; aliquorum, quia concessiones Regum nondum consecuti fuerant, consecrations distulisse.—Dominus quoque Papa Urbanus Reges tantum a corporali investitura excludit, quantum intelleximus, non ab electione, in quantum sunt caput populi, vel concessione: quamvis octava synodus solum prohibeat eos interesse electioni, non concessioni. Quae concessio sive fiat manu, sive nutu, sive lingua, sive virga, quid refert? cum Reges nihil spirituale se dare intendant, sed tantum aut votis potentium annuere, aut villas ecclesiasticas et alia bona exteriora, quae de munificentia Regum obtinent Ecclesiae, ipsis electis concedere.—Quodsi haec aeterna lege sancta essent, non esset in manu praesidentium, ut ea in quibusdam districte judicarent, in quibusdam misericorditer relaxarent, ipsis in honore accepto permanentibus, contra quos ista loquuntur. Nunc vero quia ea illicita maxime facit praesidentium prohibitio, licita quoque corundem pro sua aestimatione remissio: videamus nullos aut paene nullos pro hujusmodi transgressione damnatos, plurimos autem vexatos, plurimas ecclesias spoliatas, plurima scandala exorta, divisum regnum et sacerdotium, sine quorum concordia res humanae nec incolumes esse possunt nec tutae.—Sed hoc vellem cum multis mecum pie sentientibus, ut Romanae Ecclesiae ministri tanquam probati medici majoribus morbis sanandis intenderent, et non ab irrisoribus suis audirent: *culicem excolantes et camelum glutientes, mentam, rutam, ciminum et anetum decimatis, graviora autem legis praecepta praetermittis*: cum per totum paene mundum flagitia et facinora videamus publice perpetrari, nec ea a vobis aliqua justitiae falce resecari. For this reason he speaks zealously, ep. 236, against the opinion of those who call lay investiture a heresy, and reckons the prohibition of investitures among those points, quac aeterna lege sancta non sunt, sed honestate et utilitate Ecclesiae instituta vel prohibita. Ivo's friend, Hugo Mon. Floriacensis, considered even the nomination of bishops by the king unobjectionable; see his tract of regia potestate et sacerdotali dignitate (Baluz. miscell. lib. iv. p. 9), cap. 5: *Igitur Rex instinctu Spiritus sancti potest, sicut existimo, praesulatus honorem religioso clero tribuere: animarum vero curam Archiepiscopus debet ei committere.* Qua discreta consuetudine usi sunt quondam quique christianissimi Reges et Principes in promovendis viris ecclesiasticis atque sanctissimis usque ad haec tempora nostra.*

⁷ Iponis Carnot. epist. 190 ad Paschalem (in Baron. ann. 1106, no. 50), on the installation of Rudolf, archbishop of Rheims: *Plenariam pacem impetrare nequivimus, nisi praedictus Metropolitanus per manum et sacramentum eam fidelitatem Regi faceret, quam praedecessoribus suis Regibus Francorum antea fecerant omnes Rhemenses Archiepiscopi, et caeteri regni Francorum quamlibet religiosi et sancti Episcopi. Quod persuadentibus et impellentibus totius Curiae optimatibus, etsi propter mandatorum rigorem minus licebat, factum est tamen, quia ecclesiasticae paci et fraternalae dilectioni sic expeditiebat.—Petimus ergo—ut hoc eodem intuitu caritatis et pacis veniale habeat paterna moderatio, quod illicitum facit non aeterna lex, sed intentione acquirendae libertatis praesidentium sola prohibitio, etc.*

⁸ For what follows, comp. Planck, iv. 1, 251. Stenzel, i. 571.

moned all his resources.⁹ But his anathemas seemed to be continually less and less regarded in Germany, sighing as it was for peace,¹⁰ when he succeeded in instigating the emperor's second son, Henry, to rebellion against his father (1104).¹¹ Then the ill-

⁹ He pronounced sentence of excommunication repeatedly against Henry, and particularly the Bull *coena Domini* in ecclesia Lateranensi (Ekkehardus ad ann. 1102). How much the enthusiasm for the crusades here served him, appears from the seventh epistle of Pascal ad Robertum Flandrensum Comitem (Mansi xx. 986): Benedictus Dominus Deus Israel, qui in te virtutis suae efficaciam operatur, qui reversus Jerusalem Syriae in caelestem Jerusalem justae militiae operibus ire contendis. Hoc est legitimi militis, ut sui Regis hostes instantius persecutari. Gratias ergo prudentiae tuae agimus, quod praecipuum nostrum in Cameracensi parochia exsecutus es: id ipsum de Leodiensibus excommunicatis pseudoclericis praecipimus. Justum enim est, ut, qui semetipsos a catholica Ecclesia segregant, per catholicos ab Ecclesiae beneficiis segregentur. Nec in hac tantum parte, sed ubicunque poteris, Henricum haereticorum caput, et ejus fautores pro viribus persecutaris. Nullum profecto gratius Deo sacrificium offerre poteris, quam si eum impugnes, qui se contra Deum erexit, qui Ecclesiae Dei regnum auferre conatur, qui in loco sancto Simonis idolum statuit, qui a principibus Dei sanctis Apostolis, eorumque vicariis de ecclesiae domo s. Spiritus judicio expulsus est. Hoc tibi ac militibus tuis in peccatorum remissionem et apostolicae sedis familiaritatem praeccipimus: ut his laboribus ac triumphis ad caelestem Jerusalem Domino praestante pervenias. Among the clergy of Liege who were true at that time to their monarch, Sigebertus Gemblagensis († 1113) stands conspicuous—he himself relates, de scriptoribus eccles. cap. 171 (in Fabricii biblioth. eccles. p. 114): Rogatu praedicti viri (Henrici Archidiaconi) validis Patrum argumentis respondi epistolae Hildebrandi Papae, quam scripsit ad Hermannum Metensem Episcopum in potestatis regiae calumniam. Scripsi ad ipsum Henricum apologiam contra eos, qui calumniantur Missas conjugatorum sacerdotum. Ipso etiam rogante respondi epistolae Paschalis Papae, qui Leodiensem Ecclesiam aequa ut Cameracensem a Roberto Flandrensum Comite jubebat perditum iri. This last letter, full of bitter truth, is preserved (Epist. Ecclesiae Leodiensis contra epist. Paschalis P. in Cod. Udalrici no. 234, in Eccard ii. 238, in Goldasti apologiae, p. 188, in Mansi xx. 987); thus neither was it written by a nameless clerk, as Schröckh, xxvi. 74, and others say, nor in the year 1107, as we find in Mansi l. c., but during Henry's lifetime, probably about 1102. For Robert quitted Palestine as early as 1099, Wilken, ii. 18.

¹⁰ Bernoldus ad ann. 1100, in Pertz, viii. 467: Jam multum paene ubique sententia excommunicationis coepit tepescere, ut etiam quidam religiosi, qui usque ad hoc tempus in illa causa erant ferventissimi, a catholicis discederent, et inter excommunicatos promoveri non timerent.

¹¹ Thus the later contemporary Herimannus Abb. in narratione restauracionis abbatiae s. Martini Tornacensis (in d'Achery spicileg. ii. 914): Interea callidus Papa Henricus adolescentem filium Henrici Imp. literis adversus patrem concitat, et ut Ecclesiae Dei auxilietur, admonet; ille regni cupidus, et gaudens, se competentem occasionem ex apostolica auctoritate invenisse, contra patrem ferociter armatur, etc. Exstat quaedam epistola ab eodem patre Philippo Regi Francorum directo, in qua de filio suo conqueritur, quoniam si quis legerit, et non fleverit, videtur mihi duri esse cordis. (This letter to Philip is to be found in Udalrici Babenb. cod. no. 216, in Eccard, ii. 222; also in Urstisi scriptt. hist. Germ. i. 396.) Obertus de vita Henrici IV. (in Goldast, p. 216), and Otto Frising. lib. vii. c. 8, on the other hand, maintain that the young Henry was instigated by dissatisfied nobles. On the history of the quarrel between father and son, also on the Concilium Nordhusanum, summoned by the son in the year 1105, Ekkehardus in Pertz, viii. 226, ss., is most full. Comp. Raumer, i. 240, ss. Stenzel, i. 583, ss. E. Gervais

fated Henry at length yielded to his destiny in Liege, which remained true to him († 1106).¹² However, no sooner was Henry V. in undisputed possession of the throne, than he maintained, as stoutly as his father had done, his right to invest bishops.¹³ The negotiations of his ambassadors with the Pope at a conference in Chalons (1107) remained without result.¹¹ When Henry

polit. Gesch. Deutschlands unter Heinrich V., und Lothar III. (2 parts: Leipzig, 1811. 42) i. 4.

¹² Compare the Epistle of Otbert, bishop of Liege, *de vita et obitu Henrici IV.* in Goldasti apol. p. 225 (written immediately after Henry's death).

¹³ The Pope began to triumph too soon at the Concil. Guastallense, in Oct. 1106 (Mansi xx. 1209): *nunc per Dei gratiam hujus nequitiae deficientibus auctoribus, Ecclesia in ingenuam libertatem resurgit.* He absolved the German clergy from excommunication, and renewed the laws against lay investitures. Now he wished himself to travel in Germany. But (Ekkehardus ad ann. 1107) *quasi proterviam Teutonicorum declinans—suggerentibus quibusdam, quod non facile gens nostra decretum illud recipiat, quod quamlibet ecclesiasticam investituram laicis a manibus accipi vetat; necnon et animosum cor Regis adolescentis, quod nondum per omnia dominico jugo sit habile; haec, inquam, multaque id genus vir Dei percepta considerans, et needum sibi ostium germanicis in partibus apertum esse cum gemitu pronuntians, profectionem suam cum Hispaniarum legatis per Burgundiam ad Gallias convertit, and went to the synod at Troyes.* Henry thereupon gathered an assembly of nobles in Mayence, and sent ambassadors from it to the Pope: *per quos tam ipsi quam universae synodo potestatem constituedorum Episcoporum privilegiis apostolicis Carolo Imperatori concessum notificarent.* In defense of the imperial and episcopal rights against the Pope, in 1109, a pamphlet was issued, which is printed in Schardii syntagma tractatum de imperiali jurisdictione, p. 72, as Waltrami Ep. Naumburg. lib. de investitura Episcoporum, and which Kunstmann has published more completely from another manuscript, in the Tubinger Theol. Quartalschr., 1837, s. 184; 1838, s. 336. According to an old account (1838, s. 348), Conrad, abbot of St. George in Naumburg, is said to have written it and dedicated it to Bishop Waltram. Undoubtedly the yielding of the Pope in England (s. note 5) had some influence on the conduct of the Emperor and German people. Stenzel, i. 612.

¹⁴ On this point as eye-witness, there is the politic Sugerius Abb. s. Dionys. *de vita Ludov.* Grossi (in Duchesne, iv. 289. Bouquet, xii. 20). The imperial ambassadors, with the Archbishop of Tréves and Duke Guelph at their head, appear, *non humiles, sed rigidi et contumaces—qui tumultuantes magis ad terrendum, quam ad ratiocinandum missi viderentur.* The Archbishop of Tréves spoke thus: *Talis est domini nostri Imperatoris, pro qua mittimur, causa. Temporibus antecessorum nostrorum, ss. et apostolicorum virorum, magni Gregorii et aliorum, hoc ad jus Imperii pertinere dignoscitur, ut in omni electione hic ordo servetur: antequam electio in palam proferatur, ad aures domini Imperatoris perferre, et si persona deceat, assensum ab eo ante factam electionem assumere; deinde in conventu secundum canones, petitione populi, electione cleri, assensu honoratorum proferre: consecratum libere nec simoniace ad dominum Imperatorem pro regalibus, ut annulo et virga investiatur, redire, fidelitatem et hominum facere. Nec mirum: etenim civitates et castella, marchias, telonia, et quæque imperatoriae dignitatis, nullo modo aliter debere occupare: si haec dominus Papa sustineat, prospere et bona pace regnum et Ecclesiam ad honorem Dei inhaerere.* To this the Pope made answer: *Ecclesiam pretioso Jesu Christi sanguine redemptam et liberam constitutam, nullo modo iterato ancillari oportere: si Ecclesia eo inconsulto Praelatum eligere non possit, cassata Christi morte, ei serviliter subjacere; si virga et annulo investiatur, cum ad altaria ejusmodi pertineant, contra Deum ipsum usurpare; si sacratas dominico corpori et sanguini manus laici manibus gladio sanguinolentis obligando supponant, ordini suo et sacrae unc-*

advanced with an army into Italy, the Pope agreed to a compact (February, 1111), by the terms of which the Emperor was to concede the investiture, and the bishops the oath of fealty. But as the German bishops refused their sanction to this compact,¹⁵ the Pope¹⁶ was reduced to yield to a new agreement, which granted the investiture to the Emperor (April, 1111).¹⁷ On the other side, the Gregorian party were now roused to action: the Pope was soon after obliged to annul that grant,¹⁸ and a Lateran Council (1112) condemned it.¹⁹

tioni derogare. (This last, compared with note 5, is certainly startling.) When the cervicosi legati heard this, Teutonicus impetu frenudentes tumultabant, et si tuto auderent, convitia crucarent, injurias inferrent. *Non hic, inquietum, sed Romae gladiis determinatur querela.*

¹⁵ Compare the entire transactions of this Coronatio Romana in Pertz, iv. 65. With the help of the documents, the chron. Casin. lib. iv. c. 35 ss., relates at length the occurrences. (Muratori iv. 513), Ekkehardus ad ann. 1111 (in Pertz, viii. 244) more shortly. At any rate, we are not forced, with Mascov. comm. de rebus imperii Rom. sub Henrico IV. et V. Lips. 1748. 4. p. 153, to assume that the Pontiff did not in real earnest intend this concession. For it follows necessarily from the principle before laid down by Urban II., in the Concil. Melfitan. ann. 1090 can. 11. (see above, § 48, note 12), see Schmidt's Kirchengesch. vi. 116. On the whole question, see Raumer, i. 263; Stenzel, i. 632.

¹⁶ Ekkehardus, l. c.: *Pater apostolicus ab Episcopis et aliis fidelibus Regis est custoditus usque ad pacatam et ecclesiasticam consecrationem Imperatoris, in exemplum Patriarchae Jacob dicentis ad Angelum: Non dimittam te, nisi benedixeris mihi* (Gen. xxxii. 26).

¹⁷ Chron. Casin. iv. c. 40. The oath of the Pope is found in Pertz, iv. 71: *Domnus Papa Paschalis non inquietabit dominum Regem Henricum, neque ejus regnum de injuria sibi inflata—de investitura episcopatum aut abbatiarum—et penitus in persona Regis nunquam anathema ponet. Nec remanebit in domno Papa, quin coronet eum, sicut in Ordine continetur, etc. Privilegium Paschalis P. Henrico concessum, p. 72:—Illam igitur dignitatis praerogativam, quam praedecessores nostri vestris praedecessoribus, catholicis Imperatoribus, concederunt, et privilegiorum paginis confirmaverunt, nos quoque Dilectioni tuae concedimus, et praesentis privilegii pagina confirmamus, ut regni tui Episcopis vel Abbatibus libere praeter violentiam et simoniam electis investituram annuli et virgae conferas. Post investitionem vero canonican consecrationem accipiant ab Episcopo, ad quem pertinuerint. Si quis autem a clero et populo praeter assensum tuum electus fuerit, nisi a te investiatur, a nemine consecretur.* At the coronation the Pope and the Emperor partook of the communion together (chron. Cas. l. c.) cumque ad hostiae confraktionem venisset, partem ipse (Papa) accipiens, partem Imperatori contradens, dixit: *Sicut pars ista vivifici corporis divisa est, ita divisus sit a regno Christi et Dei, quicumque pactum istud dirumpere tentaverit.*

¹⁸ Chron. Casin. iv. c. 42. Particularly Bruno Episc. Signensis in epist. ad Paschal. P. in Baron. ann. 1111, no. 30. Goffridi Abb. Vindocinensis, lib. i. ep. 7 ad Paschalem. Placidi (Prior of Nonantola) lib. de. honore Ecclesiae (in Pezii thes. anecd. II. ii. 75). There was even some talk of deposing him, Udalrici cod. no. 258.—Then Paschalis epist. 23, ad Joan. Tusculanum et Leonem Vercellensem Episc. et Cardinales and epist. 24, ad Guidonem Viennensem Episc. (Mansi xx. 1008).—Ivo Carnot. epist. 233, and epist. 236 (both found in Baronius, l. c. no. 34 ss.), and Hildebertus Episc. Cenomanensis, lib. ii. epist. 22 (in Mansi xxi. 44), pleaded for the Pope. Stenzel, i. 646.

¹⁹ Compare Ekkehardus ad h. a. and vita Paschalis ex Card. Aragon. (Muratori l. c.

The Pope, indeed, because of his oath pledged to the Emperor, did not excommunicate him in person; but this was done by his Legates in Burgundy and France, and Paschal sanctioned their proceeding.²⁰ Thus, at any rate, the discontent which had been

p. 363). According to the last the Pope declares: *Quamvis conditio juramentis praeposita ab ipso et suis minus observata sit;—ego tamen eum nunquam anathematizabo, et nunquam de investituris inquietabo.—Habet judicem Deum.* Porro scriptum illud—prave factum cognosco, prave factum confiteor, et omnino corrigi Domino praestante desidero. Cujus correctionis modum fratum, qui convenerunt, consilio judicioque consti-
tuo, ne forte per imposterum detrimentum aliquod Ecclesia, animae meae judicium relin-
quatur. The acts of the synod (Mansi xxi. 49, and published, according to other MSS., in the same place, p. 68, and by Baluzius in *de Marcâ de conc. sac. et Imp. after lib. viii. c. 20*) contain a confession of faith by the Pope, and the following decree of the Council: *Privilegium illud, quod non est privilegium, sed vere debet dici pravilegium, pro libera-
tione captivorum et Ecclesiae a domino P. Paschali per violentiam Henrici Regis extor-
tum, nos omnes in hoc s. concilio cum eodem Domino Papa congregati, canonica censura
et ecclesiastica auctoritate, judicio s. Spiritus damnamus, et irritum esse judicamus atque
omnino cassamus, et ne quid auctoritatis et efficacitatis habeat, penitus excommunicamus.* Quod ideo damnum est, quod in eo privilegio continetur, quod electus canonice a clero
et populo a nemine consecretur, nisi prius a Rege investiatur, quod est contra Spiritum
s. et canoniam institutionem.

²⁰ Yet Guido, archbishop of Vienne, held, in Sept. 1112, the Concil. Vienn. (Mansi xxi. 73), in which first lay investiture and this privilege were condemned, then follows, *Henricum Teutonicorum Regem, qui—domnum Papam—velut alter Judas—tradidit, ce-
pit,—et ab eo nefandissimum et detestabile scriptum violenter extorsit, excommunicau-
mus, anathematizamus, et a gremio s. matris Ecclesiae sequestramus, donec, his omnibus
abrenuntiatis, plenam satisfactionem Ecclesiae exhibeat.* From the letter of the synod to the Pope, it is evident that he would gladly reconcile both parties. *Adfuerunt legati Re-
gis, literas bullatas, quasi de parte vestra ad eum missas, audacter praetendentes, in qui-
bus erga eum vester bonus affectus pacis et concordiae et perfectae amicitiae significaba-
tur.* Quas nimur post concilium, quod in praeterita quadragesima Romae celebrasti,
se recipisse, et sibi missas, idem Rex testabatur. Hence the decisive language: *Illud
etiam cum debita reverentia vestrac suggerimus pictati, quod, si nobiscum in his steteritis,
si hoc, sicut rogamus, confirmaveritis,—unanimiter nos, sicut deceat, habebitis filios et fide-
les.* Si vero, quod minime credimus, aliam viam aggredi cooperitis, et nostrae paterni-
tatis assertiones praedictas roborare nolueritis: *propitius sit nobis Deus, quia nos a ves-
tra subjectione et obedientia repellitis.* The Pope does not contradict that statement of the Imperial ambassadors in his answer (l. c.), but writes humbly: *Dum alicuius morbi
detentione caput afficitur, membris omnibus communiter ac summopere laborandum est,
ut ab eo penitus expellatur.—Unde Deo gratias referimus, et quae statuta sunt ibi, rata
suscipimus et confirmamus, etc.* In the same way Henry was excommunicated by Cardinal Conon, papal legate in France, at the Conc. Bellovacense ann. 1114, Rhemense, Suessionense, Catalaunense, and Coloniense ann. 1115. At the Conc. Lateranense ann. 1116 (about which see especially Ekkelhardus on this year), the Pope was strongly urged by these Legates himself to pronounce sentence of excommunication upon the Emperor; however, this did not take place. The Abbot of Farsa, faithful to the Emperor, thus writes to him about the Pope's conduct (in *Udalrici cod. no. 259.* in *Eccard. ii. 267*): *Apostolici intentio, ut certius nobis videtur, ad hoc viget et molitur, ut irrecuperabile vo-
bis detrimentum operari valeat: et tum demum irrevocabilem contra vos proferet senten-
tiā.* Interim callide agit clandestinis machinationibus, quatenus incautos vos et minus
sollicitos reddat. Nam verba, quae vobis literis suis blanda et placatissima mandavit,
quamvis nobis ignota sunt, fraude tamen plena pro certo existimamus; et ut adventus

provoked by the Imperial outrages in Saxony, and had broken out into open rebellion, was kept alive.²¹ It could not, however, lead to the same results as it would have done in the reign of Henry IV., because of the notorious inconsistency of the Pope. Henry V. even made himself master of the lands of Matilda, margravine of Tuscany († 1115), bequeathed by her to the Roman Church²² (1116), then he advanced into Rome (1117),²³ and forced the Pope to die in banishment († 21st January, 1118).

vester in Italiam differatur, eum ad vos transmisse arbitramur, licet fortasse eisdem apicibus adventum vestrum se desiderare ostendat.

²¹ Schlosser, III. i. 233. Raumer, i. 280. Stenzel, i. 655. Henry would not rest satisfied with the mode of investiture agreed on by treaty Conf. Frider. Archiep. Colon. epist. ad Ottonem Bamb. ann. 1115 (in Udalrici cod. no. 277) : Quid de cathedris episcopalibus dicemus, quibus regales villici praesident, quas disponunt, et de domo orationis speluncam plane latronum efficiunt : de animarum lucris nulla penitus quaestio est, dum tantum terrenis lucris regalis fisci os insatiabile repleatur. The worst consequence of this to the Pope was, that other kings took up the wish to invest, cf. Anselmi Cantuar. lib. iii. epist. 152, ad Paschalem, ann. 1117 (Mansi xx. 1023) : Rex. Angliae conqueritur, quod sustinetis, Regem Teutonicum dare investituras Ecclesiarum, sine excommunicatione : et ideo minatur, se sine dubio resumturum suas investituras, quoniam ille suas tenet in pace. The Pope answered this from Beneventum (epist. 153, in Mansi l. c.) : Exspectamus quidem, ut ferocia illius gentis edometur. Rex vero si in paternae nequitiae tramite perseveraverit. b. Petri gladium, quem jam educere coepimus, procul dubio experietur.

²² Matilda's deed of gift is to be found at the end of the Life of Matilda, written by Domnizo (in Leibnit. rer. Brunsvic. scriptt. i. 687. Muratori scriptt. rer. Ital. v. 384). Fragments of it have been lately discovered on pieces of a marble table, which perhaps contained the original, see ad Ph. L. Dionysii opus de Vaticanis cryptis appendix, aucto-ribus Aem. Sarti et Jos. Settele, Romae, 1840, fol. p. 40: In nomine s. et individuae Trinitatis anno ab incarnatione Domini nostri Iesu Christi MCII, XV. die Kal. Decembris, indictione X. Tempore domini Gregorii VII. Papae in Lateranensi palatio, in capella s. Crucis,—ego Mathildis, Dei gratia Comitissa, pro remedio animae meae et parentum meorum dedi et obtuli Ecclesiae s. Petri, per interventum domini Gregorii P. omnia bona mea, jure proprietario tam quae tunc habueram, quam ea, quae in antea acquisitura eram, sive jure successionis, sive alio quocunque jure ad me pertinent, et tam ea, quae ex hac parte montium habebam, quam illa, quae in ultramontanis partibus ad me pertinere videbantur, omnia, sicut dictum est, per manum domini Gregorii VII. P. Romanae Ecclesiac dedi et tradidi, et chartulam inde fieri rogavi. Sed quia chartula nusquam appetet, et timeo, ne donatio et oblatio mea in dubium revocetur: ideo ego, quae supra, Comitissa Mathildis iterum a praesenti die dono et offero eidem Romanae Ecclesiac per manum Bernardi Cardinalis et Legati ejusdem Romanae Ecclesiae, sicut in illo tempore dedi per manum domini Gregorii omnia bona mea, and so on as above. According to J. D. Kölér, diss. de donatione Mathildina, Altorf, 1715, p. 12, s., and Scheidii origg. Guelpficae, i. 449, the gift referred only to the allodial land, not to the imperial fief. On the other side is Mosheim instit. hist. eccl. p. 404. Schrockh, xxvi. 66. The fief could not be alienated by gift; but because the feudal relations of these lands to the Emperor were at that time much relaxed, the Pope was inclined to regard them as allodial, while the Emperor, by virtue of his ancient right, laid claim to all landed possessions at least, as fiefs of the empire. Compare Raumer, i. s. 289, 295, ss. See Stichaner über die Verlassenschaft der Mathilde in den Münchener gel. Anzeigen. Feb. 1840, s. 289.

²³ Chron. Casin. iv. c. 60 ss. Ekkehardus ann. 1117: Dominus Apostolicus propter securitatem, quam Regi, licet coactus, fecerit, diffitetur, illum se anathematis vinculo col-

§ 50.

GELASIUS II. (1118–1119.) CALIXTUS II. (1119–1124.)

Henry had already gained so strong a party at Rome, that he was able to effect the appointment of another Pope, Gregory VIII.,¹ in opposition to the newly-elected Gelasius II. Gelasius II., always an exile, died soon after at Cluny.² He was succeeded by Guido, archbishop of Vienne (§ 49, note 20), under the name of Calixtus II., who forthwith began to make overtures for peace. By the terms of a preliminary contract all investitures were to be abolished.³ But afterthoughts were less harmonious. The Pope

ligasse; ab Ecclesiae tamen potioribus membris excommunicationem connexam, non nisi ipsorum consilio denegat se posse dissolvere, concessa nimirum utrinque synodalis audienciae jure. Henry represents this otherwise to the Bishop of Ratisbon (Udalrici cod. no. 318, in Eccard. ii. 332): Dominus Apostolicus—negavit, quod Chuononem in Coloniam vel Saxoniam miserit; irritum esse judicavit, si quid in nos maledictionis effuderit; affirmavit, quod ipse numquam nos excommunicaverit, etc. Raumer, i. 300. Stenzel, i. 668.

¹ The story which the contemporary Landulphus, junior hist. Mediolan. c. 32 (Muratori scriptt. rer. Ital. v. 502), relates is worthy of notice on this point: Magister Guarnerius (or Irnerius) de Bononia, et plures legisperiti populum Romanum ad eligendum Papam convenit et quidam expeditus lector in pulpito s. Petri per prolixam lectionem decreta Pontificum de substituendo Papa explicavit. Quibus perfectus et explicatis totus populus elegit in Papam quendam Episcopum Hispaniae, etc.

² As regards him, besides Landulphus junior, his adherent Pandulphus Pisan. in vita Gelasii II. (in Muratori iii. 1, 367), may be especially consulted. Schlosser, iii. 1, 239. Raumer, i. 301.

³ The negotiations may be found in Hessonis scholastici commentariolus de tractatione pacis inter Calixtum II. et Henricum V. in Seb. Tengnagel vett. monumenta pro Gregorio VII. conscripta, p. 329, and borrowed thence in Mansi xxi. 244. The Bishop of Chalons, as Papal emissary, declared to the Emperor in Strasburg: Si veram pacem, domine Rex, habere desideras, investituram episcopatuum et abbatiarum omnimodis dimittere te oportet. Ut autem in hoc nullam regni tui diminutionem pro certo teneas: scito me in regno Francorum electum, nec ante consecrationem nec post consecrationem aliquid suscepisse de manu Regis: cui tamen de tributo, de militia, de telonio, et de omnibus, quae ad rem publicam pertinebant, et antiquitus scilicet a Regibus christianis Ecclesiae Dei donata sunt, ita fideliter deservio, sicut in regno tuo Episcopi tibi serviunt, quos hucusque investiendo hanc discordiam, immo anathematis sententiam, incurristi (comp. § 49, not. 7). —Non enim dominus Papa statum imperii aut coronam regni, sicut quidam seminariores discordiae obloquuntur, in quolibet imminuere attentat: immo palam omnibus denuntiat, ut in exhibitione militiae et caeteris omnibus, in quibus tibi et antecessoribus tuis servire censuerant, modis omnibus deservant. The concordat runs thus:

Ego Henricus, Dei gratia Romanorum Imp. Augustus, pro amore Dei, et b. Petri, et Domini Papae Calixti, dimitto omnem investituram omnium Ecclesiarum, et do veram pacem omnibus, qui, ex quo discordia ista coepit, pro Ecclesia in guerra fuerunt vel sunt: possessiones autem Ecclesiarum et omnium, qui pro Ecclesia laboraverunt, quas habeo, reddo, quas autem non habeo, ut rehabeant, fideliter adjuvabo. Quodsi quaestio inde

assumed that the fiefs in the empire would still remain attached to the prelacies. The Emperor, on the other hand, in the spirit of the age, considered that no fief could be bestowed without feudal investiture, and that he thus obtained by that treaty free power over the fiefs of the Church in the empire. So the negotiations were broken off, and Calixtus pronounced afresh (Oct. 1119), at the great Synod of Rheims, sentence of excommunication and de-thronement against the Emperor.⁴ Now, indeed, the disturbances in Germany, continually rekindled by Adalbert, archbishop of Mayence,⁵ in particular, grew more dangerous. Calixtus II. also was once more master of Rome (1121), and the anti-Pope his prisoner. Still the Pope was obliged to adopt an expedient pointed out before by French writers,⁶ and allow a secular also, as well as a

emerserit; quae ecclesiastica sunt, canonico, quae autem saecularia sunt, saeculari terminentur iudicio.

Ego Calixtus II., Dei gratia Romanae Ecclesiae Episcopus catholicus, do veram pacem Henrico Romanorum Imperatori Augusto, et omnibus, qui pro eo contra Ecclesiam fuerunt vel sunt: possessiones eorum, quas pro guerra ista perdiderunt, quas habeo, reddo, quas non habeo, ut rehabeant, fideliciter adjuvabo. Quodsi quaestio inde emerserit; quae ecclesiastica sunt, canonico, quae saecularia sunt, saeculari terminentur iudicio. Schlosser, iii. 1, 442. Raumer, i. 309. Stenzel, i. 690. Gervais polit. Geschichte Deutschlands unter Heinrich V. und Lothar III. 1, 259.

⁴ On this head the eye-witness Hesso in Mansi xxi. 250. Rogerus de Hoveden (about 1198), in his annal. Anglican. ad h. a. has given us the following statement from the acts of the synod: Henricus excommunicandus decernitur. Quod cum quidam in concilio aegre ferrent, sententiam protulit Apostolicus, ut qui in hoc scandalizarentur, exeuntes a fratum consortio separarentur: proposito de illis lxx. discipulis exemplo, qui cum de carne Domini manducanda et sanguine bibendo scandalizarentur, retro abierunt, et jam cum illo non ambulabant (cf. Joh. vi. 52 ss.), etc.—Talia sermocinante Apostolico, illico omnes in eundem consensum reducti in Imperatorem Henricum excommunicationis sententiam jaculantur.

⁵ Formerly Chancellor of the Emperor and guide of his councils, since his accession to the See of Mayence (1111) entirely changed, Gervais, i. 98. How Henry expresses himself about him, see ex cod. Palat. in Raumer, i. 278, comp. s. 307.

⁶ This expedient, already introduced by Ivo (§ 49, note 6), was clearly propounded by his friend Hugo Floriacensis tract. de regia potestate et sacerdotiali dignitate, cap. 5 (Bajz. miscell. lib. iv. p. 9): Ubi vero eligitur Episcopus a clero vel populo secundum morem ecclesiasticum, nullam vim ac perturbationem eligentibus rationabiliter Rex per tyrannidem debet inferre, sed ordinationi legitimae suum adhibere consensum. At si reprehensibilis ille qui eligitur fuerit inventus, non solum Rex, sed nec plebs provinciae debet electioni ipsius suum assensum favoremque tribuere, sed etiam crimina, quibus ille detestabili maculatur infamia, voce publica denudare, ut vel hac contumelia eligentium temeritas comprimatur. Post electionem autem non annulum aut baculum a manu regia, sed investituram rerum saecularium electus antistes debet suscipere, et in suis ordinibus per annum aut baculum animarum curam ab Archiepiscopo suo; ut negotium hujusmodi sine disceptatione peragatur, et terrenis et spiritualibus potestatibus suae auctoritatis privilegium conservetur. The zealous papal partisan Gottfried, abbot of Vendome (Goffredi Vindocinensis opp. ed. J. Sirmond. Paris, 1610, and in bibl. P.P. Lugd. xxi. 1), challenges the lay investiture as heretical in his opusc. ii. and iii., but in opusc. iv. he says also: *Alia utique est investitura, quae Episcopum perficit, alia vero, quae Episcopum pascit.*

spiritual investiture, in order to satisfy the Germans.⁷ Thus at last the concordat of Worms was brought about (Sept. 1122, Concordatum Wormatiense),⁸ which was afterward ratified by the Concilium cœcum. Lateranense i. (cœcum. ix. 1123).

—Possunt itaque sine offensione Reges post electionem canonicaem et consecrationem per investituram regalem in ecclesiasticis possessionibus concessionem, auxilium et defensionem Episcopo dare, quod quolibet signo factum extiterit, Regi vel Pontifici, seu catholicæ fidei non nocebit.—Habeat Ecclesia pacem, et regnum justitiam : habeat Rex consuetudinem, sed bonam, non quam male reposcit, sed quam supra diximus investituram. Habeat Ecclesia suam libertatem, sed summopere caveat, ne, dum nimis emunxerit, eliciat sanguinem ; et dum rubiginem de vase conatur eradere, vas ipsum frangatur.—Præterea bonus et discretus Augustinus in epistola ad Parmenianum dicit, vix aut nunquam excommunicandum eum esse, qui in malo opere obstinatam multitudinem habet secum. Nam tolerabilius videtur uni parcere, ne in Ecclesia schisma seminetur plurimorum.

⁷ How the Pope was forced to give in by the unanimity of the German secular princes, is clearly set forth in Adalberti Archiep. Mogunt. ep. ad Calixtum P. II. ann. 1121 (in Martene et Durand ampliss. collect. i. 671), about the negotiations set on foot : Sed quia tam Imperium quam Imperator tamquam haereditario quodam jure baculum et annulum possidere volebant, pro quibus universa laicorum multitudo Imperii nos destructores in clamabat ; nullo modo potuimus his Imperatorem exuere, donec communi quique consilio —omnes pariter sustinuimus, quod in ipsis praesentia Ecclesia debeat electionem facere.

⁸ In Ekkehardus on this year (Pertz, viii. 260), and in Udalrici cod. Epist. no. 305 and 306 (Eccard. ii. 308) ; published by Pertz, iv. 75, after 7 manuscripts : Ego Heinricus Dei gratia Romanorum Imperator Augustus pro amore Dei et s. Romanae Ecclesiae et domini P. Calixti, et pro remedio animae meae, dimitto Deo et ss. cjsus Apostolis Petro et Paulo, sanctaeque catholicae Ecclesiae omnem investituram per annulum et baculum, et concedo, in omnibus Ecclesiis canonicaem fieri electionem et liberam consecrationem. Possessiones et regalia b. Petri, quae a principio hujus discordiae usque ad hodiernam diem, sive patris mei tempore, sive etiam meo, ablata sunt, quae habeo, s. Romanae Ecclesiae restituo, quae autem non habeo, ut restituantur, fideliter juvabo. Possessiones etiam omnium Ecclesiarum aliarum, et Principum, et aliorum tam clericorum quam laicorum, quae in guerra ista amissae sunt, consilio Principum, vel justitia, quas habeo, reddam, quas non habeo, ut reddantur fideliter juvabo. Et do veram pacem domino Papae Calixto, sanctaeque Romanae Ecclesiae, et omnibus, qui in parte ipsis sunt vel fuerunt. Et in quibus s. Romana Ecclesia mihi auxilium postulaverit, fideliter juvabo ; et de quibus mihi fecerit querimoniam, debitam sibi faciam justitiam.

Ego Calixtus Episcopus, servus servorum Dei, tibi dilecto filio Heinrico, Dei gratia Romanorum Imperatori Augusto, concedo, elections Episcoporum et Abbatum Teutonicorum regni, qui ad regnum pertinent, in praesentia tua fieri absque simonia et aliqua violentia ; ut si qua inter partes discordia emerserit, Metropolitani et Comprovincialium consilio vel judicio, saniori parti assensum et auxilium praebcas. *Electus autem regalia per sceptrum a te recipiat, et quae ex his jure tibi debet, faciat.* Ex aliis vero partibus Imperii *consecratus* infra sex menses regalia per sceptrum a te recipiat, et quae ex his jure tibi debet, faciat, exceptis omnibus, quae ad Romanam Ecclesiam pertinere noscuntur. De quibus vero querimoniam mihi feceris, secundum officii mei debitum auxilium tibi praestabo. Do tibi veram pacem et omnibus, qui in parte tua sunt, aut fuerunt tempore hujus discordiae. Data anno dominicae Incarnationis MCXXII. ix. Kal. Octobr. cf. Joh. Guil. Hoffmann diss. ad concordatum Henr. V. et Calixti II. Viteberg, 1739. 4. Montag's Geschichte der deutschen staatsburgerl. Freiheit. ii. 436, 440. Planck, iv. 1, 297. Raumer, i. 316, vi. 19, 121. Stenzel, i. 704. Gervais polit. Gesch. Deutschlands unter Heinrich V. und Lothar III. i. 335. To the fanatics this concordat was naturally an abomination. See vita Conradi I. Archiep. Salsburg. cap. 4 (Pezii thes. anecd. II. iii. 227) : Abhorrebat vir ille venerabilis, et medullitus detestabatur homagii et juramenti praestationem, quam Regibus

§ 51.

HONORIUS II. (1124–1130.) INNOCENT II. († 1143.) CELESTINE II. († 1144.)
LUCIUS II. (1145.) EUGENE III. († 1153.) ANASTASIUS IV. († 1154.)

After the extinction of the Franconian Imperial house (Henry V. † 1125), the Papacy seemed to have gained a complete triumph over the empire. By the Church party, under the guidance of Adalbert, archbishop of Mayence, the Duke of Saxony, who was entirely in their interest, was raised to the Imperial throne under the title of Lothair III.¹ Upon his election, he willingly sacrificed to the ecclesiastical princes a portion of his rights, to the Pope of his rank.² When, however, in the year 1130 a disputed election put forward two Popes, one of whom, Anacletus II., with the help of Roger, the new king of Sicily, maintained himself in Rome, the other, Innocent II., fled to France, and, being supported by Bernard, abbot of Clairvaux, the oracle of his age, brought over all countries, with the exception of Italy, to his side, but looked especially to the Emperor for victory over his rival. Then Lothair could exercise once more, without opposition, at least those

exhibebant Episcopi et Abbates, vel quisquam ex clero pro ecclesiasticis dignitatibus, eo quod nefas et instar sacrilegii reputaret, ac praedicaret occulte et publice, manus christiatis unctione consecratas sanguineis manibus, ut ipse solebat dicere, subjici, et homagii exhibitione pollui. Inde est, quod mortuo Imp. Heinrico, cum ei Lotharius successisset, numquam ei consensit homagium facere, vel sacramentum fidelitatis offerre. Compare above § 48, note 12.

¹ Ed. Gervais polit. Gesch. Deutschlands unter Heinrich V. und Lothar III. Th. 2. Kaiser Lothar III. Leipzig, 1842. Ph. Jaffé Gesch. d. deutschen Reichs unter Lothar d. Sachsen, Berlin, 1843. On these two works s. R. Kopke in W. A. Schmidt's Zeitschrift f. Geschichtswissenschaft, i. 220.

² Anonymi (Welberti, Conradi III. Imp. Capellani ? See Olenschlager s. 83) narratio de electione Lotharii (in J. D. Olenschlager's Erlauterungen der guldenen Bulle. Urkundenbuch s. 19): Concordantibus itaque in electione Regis universis regni Principibus, quid juris regiae dignitatis Imperium, quid libertatis reginae cœlestis, i. e. Ecclesiae Sacerdotium habere deberet, stabili ratione praescribitur.—Habeat Ecclesia liberam in spiritualibus electionem, nec regio metu extortam, nec *praesentia Principis, ut ante, coartatam*, vel ulla petitione restrictam; habeat imperatoria dignitas, electum libere, *consecratum canonicæ, regalibus per sceptrum, sine pretio tamen, investire solenniter, et in fidei suæ ad Justi favoris obsequium (salvo quidem Ordinis sui proposito) sacramenta obligare stabiliter.* The new Emperor ab Episcopis universis—et Abbatibus—*fidelitatem non indebitam de more suscepit, a nullo tamen spiritualium, ut moris erat, hominum vel accepit vel coegit.* Dodechini app. ad Mariani Scoti chron. ad ann. 1125 (in Pistorius-Struve, i. 671): Legati pro confirmando Rege Romammittuntur Gerhardus Cardinalis, Cameracensis et Virdunensis Episcopi. They probably believed that the assent of the Pope was necessary to the transfer of the Imperial crown to another family.

rights which were assigned to him by the Calixtine Concordat.³ However, at his coronation (1133) he suffered himself to be induced, by his family interest, to receive Matilda's allodial (freehold) lands in fee from Innocent II.⁴

After Lothair's death († 1137) the powerful Hohenstaufen family succeeded, in Conrad III., to the Imperial throne;⁵ as kinsmen

³ At their meeting in Liege, 1131, Innocent besought the Emperor's help. (Otto Frising. chron. vii. c. 18): *qui nihil cunctatus, exposito tamen prius modeste, in quantum Regnum amore Ecclesiae attenuatum, investituram earum quanto sui dispendio remiserit, auxilium Romanae Ecclesiae promittit.* According to the vita Bernardi lib. ii. c. i. Lothair demanded, Episcoporum sibi restitui investituras, quas ab ejus praedecessore Henrico Imp.—Romana Ecclesia vindicaverat, and Bernard, ep. 150, who was actively engaged himself in the negotiations, alludes to some such transaction. However, this might be nothing more than a mistake of the French; but that Lothair cared no more for the new restrictions made at the time of his election he had already shown in Liege, where he caused the principal clergy of the church of Verdun to choose a new bishop (hist. Episcoporum Virdunensium in d'Achery Spicileg. ii. 252), and then established the man on whom their choice fell, granting to him, with the sceptre, the temporalities of the Episcopate, although the same bishop did not until afterward receive consecration from the Pope in Paris. Further, see gesta Trevirorum edd. Wyttensbach et Muller, i. 237: *Cum Albero Archiepiscopus (Trevirensis) venisset Aquisgrani ad curiam Imperatoris (ann. 1132), Lotharius Rex noluit cum investire regalibus, eo quod ante receperisset consecrationem episcopalem, quam suam requisivisset investituram.* The Archbishop offered to make oath, *quod non ad diminutionem sui honoris hoc factum esset sed a domino Papa coactus ad consecrationem accessisset*, and thus conciliated the Emperor. Accordingly, Adalbert, archbishop of Mayence, laments, in a letter to Otto, bishop of Bamberg (cod. Udalrici no. 366 in Eccard. ii. 371): *Quid restat ad cumulum doloris nostri, cum videamus canonicas Episcoporum electiones ad nutum Principis cassari, et pro beneplacito suo ipse substituat, quos libuerit?* Hoc in Basiliensi Ecclesia factum est (cf. Annalista Saxo ad ann. 1133, in Pertz, viii. 768). Lothair's younger contemporary, Otto of Freisingen, thus states the purport of the concordat of Worms (chron. vii. c. 16): *tam Cisalpini, quam Transalpini non prius ordinentur, quam regalia de manu ejus (Regis) per sceptrum suscipiant.* But he adds, with reference to the Romish view of this concordat: *Hoc pro bono pacis sibi soli (Regi Henrico), et non successoribus datum dicunt Romani.*

⁴ The document sent by the Pope to the Emperor, see in Baronius 1133, note 5. Allodium bonae memoriae Comitissae Mathildae, quod utique ab ea b. Petro constat esse collatum, vobis committimus,—atque—per annum investimus, ita videlicet, ut centum libras argenti singulis annis nobis et successoribus nostris exsolvas, et post tuum obitum proprietas ad jus et dominium s. Rom. Ecclesiae—revertatur.—Qui vero arcis tenuerit, vel rector terrae fuerit, b. Petro, et nobis nostrisque successoribus fidelitatem faciant. Caeterum pro caritate vestra nobili viro, Henrico, Bavariae Duci, genero vestro, et filiae vestrae, uxori ejus, eandem terram cum praefato censu, et supradictis conditionibus apostolica benignitate concedimus, ita tamen, ut idem Dux hominum faciat et fidelitatem b. Petro, ac nobis, nostrisque successoribus juret. Post quorum obitum praedictum Comitissae Mathildae allodium ad jus et dominium s. Rom. Ecclesiae—reducatur. The Popes could only make out a claim for the allodium or freehold, not for the imperial fiefs of Matilda. The contest, hardly to be decided, as to what was allodium and what was Imperial fief, was set aside by this grant. But Lothair chose rather to bring over these lands in peace to his family, than vindicate in doubtful combat the right of an elective crown.

⁵ F. v. Raumer, Gesch. d. Hohenstaufen und ihrer Zeit. 6 Bde. Leipzig, 1823. 2te Aufl. 1840. Ph. Jaffé Gesch. des deutschen Reichs unter Conrad III. Hanover, 1845.

of the Franconian Imperial house, they were the natural defenders of its honor and its claims. But the Papal See found in the Guelphs a strong party entirely in its interest, and hostile to the Hohenstaufen family (the Waiblingen, Ghibellini);⁶ and now that, since the death of Anacletus (1138), the schism had been healed by Bernard's influence, it would have been able to display more than all its ancient vigor, had not a new danger threatened from Italy herself.

Among other contests, the claims of the bishops were also opposed to the effort of the Lombard towns for independence, which developed itself in great strength during this period, in which the Emperors for a long time past could give but slight heed to Italy.⁷ Encouraged by this fact, and weighing the state of affairs by the words of Christ and his apostles, Arnold of Brescia⁸ arrived at the conclusion that the clergy in general should possess no secular property whatever;⁹ and the above-mentioned direction of political

⁶ In the battle of Weinsberg, 1140, the party cry “Hie Welf, Hie Waiblingen,” is said to have been first raised.

⁷ Compare Planck, iv. 1, 145. Savigny's *Gesch. des Rom. Rechts im Mittelalter*, iii. 91, 110. Raumer über die staatsrechtlichen Verhältnisse der ital. Städte. Wien, 1819. 8; by the same, *Gesch. d. Hohenstaufen*, v. 102. H. Leo, *Entwickelung der Versassung d. Lombard. Städte bis zu der Ankunft K. Friedrich I. in Italien*. Hamburg, 1824. 8, s. 90, 173. Hullman's *Stadtewesen des Mittelalters*, ii. 325. Muratori antiquit. Ital. medii aevi iv. 253. Single instances, ibid. iv. 191, 221.

⁸ Consult about him especially Otto Frising. *de rebus gestis Frider.* lib. ii. c. 20 (in Murat. c. 21). Guntheri Poetae (about 1200) *Ligurinus seu de gestis Friderici I.* (libb. x., often edited, but best by C. G. Dumgè, vol. i. Heidelb. 1812. 8.), libb. iii. v. 262, ss.—J. D. Koler de Arnaldo Brixensi dissert. Goetting. 1742. 4. Planck, iv. 1. 324. Neander, v. 1. 192. Raumer, ii. 34. Arnold von Brescia, by Dr. K. Beck (in d. Baseler wissenschaftl. Zeitschrift, Jahrg. 2 (1824). Heft 2. s. 38, ff. Heft 3. s. 59, ff. Arnold von Brescia, u. s. Zeit von D. H. Francke. Zürich, 1825. 8.

⁹ Otto Frising, 1. c. Arnaldus iste ex Italia, civitate Brixia oriundus, ejusdemque Ecclesiae clericus ac tantum lector ordinatus, Petrum Abailardum olim praeceptorum habuerat. Vir quidem naturae non hebetis, plus tamen verborum profluvio, quam sententiarum pondere copiosus. Singularitatis amator, novitatis cupidus, eujusmodi hominum ingenia ad fabricandas haereses, schismatumque perturbationes sunt prona. Is a studio a Gallis in Italiam revertentes religiosum habitum, quo amplius decipere possit, induit, omnia lacerans, omnia rodens, nemini parcens, Clericorum ac Episcoporum derogator, monachorum persecutor, laicis tantum adulans. Dicebat enim, nec Clericos proprietatem, nec Episcopos regalia, nec monachos possessiones habentes aliqua ratione salvari posse. Cuncta haec Principis esse, ab ejusque beneficentia in usum tantum laicorum cedere oportere. Praeter haec de sacramento altaris, et baptismo parvolorum non sane dicitur sensisse. Cf. Guntheri Ligurinus lib. iii. v. 273, ss. He wished to leave the clergy nothing but the

—primitias, et quae devotione plebis
Offerat, et decimas castos in corporis usus,
Non ad luxuriam, sive oblectamina carnis
Concedens ; mollesque cibos, cultusque nitorem,
Illicitosque jocos, lascivaque gaudia Cleri,

affairs forthwith obtained for this doctrine universal acceptation in Upper Italy. Accused upon this ground before the second Lateran Council (Eccl. x. 1139), Arnold fled into France; but his doctrines had found acceptance even in Rome; and Innocent II., shortly before his death, had the mortification of finding that the Romans renounced their allegiance to him (1143). They now wished to restore the constitution as it had been under the old emperors, and asked the Emperor Conrad to take this imperial character.¹⁰

Pontificumque fastus, Abbatum deinde laxos
Damnabat penitus mores, monachosque superbos :
Veraque multa quidem, nisi tempora nostra fideles
Respuerent monitus, falsis admixta monebat.

Bernardi epist. 195, ad Episc. Constantiensem ann. 1140:—Arnaldum loquor de Brixia, qui utinam tam sanae esset doctrinae, quam distractae est vitae. Et si vultis scire, homo est neque manducans neque bibens, solo cum diabolo esuriens et sitiens sanguinem animalium.—Is ergo ad hanc aetatem ubicunque conversatus est; tam foeda post se et tam saeva reliquit vestigia, ut, ubi semel fixerit pedem, illuc ultra redire omnino non audeat. Denique ipsam, in qua natus est, valde atrociter commovit terram, et conturbavit eam. Unde et accusatus apud dominum Papam schismate pessimo, natali solo pulsus est; etiam et abjurare compulsius reversionem, nisi ad ipsius Apostolici permissionem. Pro simili deinde causa et a regno Francorum exturbatus est schismaticus insignis. *Exercatus quippe a Petro Apostolo adhaeserat Petro Abaelardo.* Cujus omnes errores ab Ecclesia jam deprehensos atque damnatos cum illo etiam et prae illo defendere acriter et pertinaciter conabatur. Though Franke, carrying out former suggestions (e. g. Bulae hist. univ. Paris. ii. 155. Leger hist. des vallées de Piémont, i. 155, &c.), illustrates Arnold's peculiar cast of mind, from his connection with the Waldenses and Cathari, nevertheless the most decisive testimonies of contemporaries declare that he did not separate in his rule of faith from the Church. See the passages last quoted from Guntheri Ligur. at the end, Bernard's expression is *Schisma Pessimum.* Also Gerhohus, de investigat. Antichristi lib. i. in J. Gretseri prolegg. ad scriptt. adv. Waldenses cap. 4, calls Arnold's doctrine, doctrina prava, quae etsi zelo forte bono, sed minori scientia prolata est.—Schmidt, Kirchengesch. vi. 174, doubts, not without reason, whether Arnold's peculiar teaching rose from Abaelard's school, as has been commonly believed on the authority of Otto Frising. He concludes, from the above-mentioned passage of Bernard, that Arnold did not become connected with Abaelard till the year 1139. On what authority Schlosser's assertion (iii. I. 274) rests, that Arnold had already lived in Rome before 1139, I can not tell.

¹⁰ Otto Frising. de rebus gest. Frid. I. lib. i. cap. 28. Epist. Romanorum, ad Regem Conradum: Regali excellentiae per plurima jam scripta, nostra facta et negotia diligenter exposuimus, quomodo in vestra fidelitate permaneamus, ac pro vestra imperiali corona exaltanda et omni modo augenda quotidie decertemus. Ad quae quia regalis industria, ut postulavimus, rescribere dignata non fuit, plane tamquam filii et fideles de domino et patre satis mirarum.—Et quidem regnum et imperium Romanorum, vestro a Deo regimini concessum, exaltare atque amplificare cupientes, et in eum statum, quo fuit tempore Constantini et Justiniani, qui totum orbem vigore senatus et populi Romani suis tenuere manibus, reducere: senatu pro his omnibus Dei gratia restituto, et eis, qui vestro imperio semper rebelles erant, quique tantum honorem Romano imperio subripuerant, magna ex parte conculcauit: quatenus ea, quae Caesari et Imperio deberentur, per omnia et in omnibus obtineatis, vehementer atque unanimiter satagimus atque studemus.—Appropinquet itaque nobis imperialis celeriter vigor: quoniam quicquid vultis in urbe obtinere poteritis: et ut breviter ac succincte loquamur, potenter in urbe, quae caput mundi est, ut optamus, habitare, toti Itiae ac regno Teutonicō, omni clericorum remoto obstaculo, liberius et

Arnold also appeared in Rome,¹¹ and Lucius II. met his death as he endeavored to carry the capitol by storm.¹² Eugene III. removed himself from the neighborhood of this dangerous and humiliating warfare (1146) to begin, under Bernard's guidance, a more glorious career in France.

For, when the new kingdom of Jerusalem, hard pressed by the infidels, demanded speedy help, Bernard succeeded once again in rekindling that enthusiasm for the Holy Land,¹³ by which especially the Papacy had been raised to the pinnacle of its power.¹⁴

melius, quam omnes fere antecessores vestri, dominari valebitis.—There are two letters written in the same spirit, one by three consiliatores Curiae Romanae; the other by a senator to the Emperor Conrad: see in Martene et Durand ampliss. collect. ii. 398. In the second is the petition that he will make himself master of Rome, ut sine *vestra* jussione ac dispositione numquam de caetero Apostolicus in Urbe ordinetur. Sic enim fuit tempore b. Gregorii, qui sine assensu Imp. Mauriti Papae esse nequivit, et sic usque ad tempus Gregorii VII. perduravit. Propter id utile esse affirmo, ne per sacerdotes bella fiant aut homicidia in mundo. Nam non eis licet ferre gladium et calicem, sed praedicare, prædicationem vero bonis operibus confirmare, nequaquam bella et lites in mundo committere.

¹¹ Lucii P. epist. ad Conrad. R. (in Otto Frising. chron. vii. c. 31, in Mansi xxi. 609): Populus Romanus nullas insaniae suae metas ponere volens, Senatoribus, quos ante instituerant, Patricium adjiciunt, atque ad hanc dignitatem, Jordanum Petri Leonis filium eligentes, omnes ei tamquam Principi subjiciuntur.—Deinde Pontificem suum adeunt, ac omnia regalia ejus, tam in Urbe, quam extra posita, ad jus Patricii sui reposcent, eumque more antiquorum sacerdotum de decimis tantum et oblationibus sustentari oportere dicentes, de die in diem animam justi affligere non timuerunt.—Otto Frising. de rebus gestis Frid. I. lib. ii. c. 20: Comperta vero morte Innocentii, circa principia pontificatus Eugenii, Urbem ingressus (Arnaldus), cum eam contra Pontificem suum in seditionem excitatam invenisset,—amplius eam in seditionem excitavat, proponens antiquorum Romanorum exempla, qui ex senatus maturitatis consulto, et ex juvenum animorum fortitudinis ordine et integritate, totum orbem terrae suum fecerint. Quare reaedificandum Capitolium, renovandam dignitatem senatoriam, reformatum equestrem ordinem docuit. Nihil in dispositione Urbis ad Romanum spectare Pontificem, sufficere sibi ecclesiasticum judicium debere.—Hacc et his similia cum—a morte Coelestini usque ad hacc ab eo—agerentur tempora, etc.

¹² Godefridus Viterbiensis († 1168) Pantheon P. xvii. (in Pistorius, ii. 349).

¹³ On Bernhard's Crusade-preaching s. Neander, V. i. 201. Wilken Kreuzzüge, III. i. 33. Raumer, i. 521.

¹⁴ Compare above § 48. Eugenii epist. i. ad Ludovicum Regem Gall. (Mansi xxi. 627) repeats first the former graces bestowed on the Crusaders, such as remission of sins, protection of the Church, &c. (comp. § 48, note 8 and 10), but then encroaches yet further on rights not his own: Quicunque vero aere premuntur alieno, et tam sanctum iter puro corde incepirent, de praeterito usuras non solvant: et si ipsi, vel alii pro eis occasione usurarum astrieti sunt sacramento vel fide, apostolica eos auctoritate absolvimus. Liceat eis etiam terras sive caeteras possessiones suas, postquam commoniti propinqui sive domini, ad quorum feudum pertinent, pecuniam commodare aut noluerint, aut non valuerint, Ecclesiis vel aliis quoque fidelibus libere sine ulla reclamatione impignorare. Peccatorum remissionem et absolutionem—omnipotentis Dei et b. Petri Apostolorum principis auctoritate nobis a Deo concessa, talem concedimus, ut qui tam sanctum iter devote incepit et perfecerit, sive ibidem mortuus fuerit, de omnibus peccatis suis, de quibus corde contrito et humiliato confessionem suscepit, absolutionem obtineat, et sempiternae retributionis fructum ab omnium remuneratore percipiat.

Mighty armies marched thitherward in the spring of the year 1147, under the Emperor Conrad III. and King Lewis VII. (the second Crusade): almost all fell victims, and the leaders came back (1149) without having gained any advantage by arms.¹⁵

When, about the same time, Eugene was brought back to Rome with the assistance of King Roger, and was thus removed from Bernard's immediate influence, which had long been regarded with displeasure by the Cardinals,¹⁶ Bernard wrote for him that remarkable exhortation, the treatise *De Consideratione*, libb. v. It was a sign of warning for the Papacy, now outstepping all bounds, put forth by one of its most faithful venerators: though embarrassed by prejudices in favor of the hierarchy,¹⁷ he still had too much personal religion not to see the perversions of this secular direction of the Papacy,¹⁸ and forebode its final consummation.¹⁹

¹⁵ On the second Crusade, Odo de Diogilo (from Deuil, near Paris, Monk of S. Denys), who took part in it, has left us, *de profectione Ludovici VII. in Orientem* (in Chislet Bernardi genus illustre adseratum. 1660. 4). Willelmus Tyrensis, lib. xvi. c. 18, ss. Wilken, III. i. 84. Schlosser, III. i. 428. Raumer, i. 530.—The unhappy issue drew down censure on Bernhard (his defense may be found *de consider.* ii. c. i.). Joannes Abb. Casemarii in his letter of consolation *ad Bernard.* among Bernard's letters ep. 333, gives as his opinion: *Si hoc, quod cooperant, sicut decet Christianos, juste ac religiose prosequi velent, Dominus cum eis esset, ac magnum fructum per eos perfecisset. Sed quoniam ipsi ad mala sunt devoluti, et hoc nequaquam Dominum, qui auctor viae fuerat, a principio latero potuit; ut sua providentia in sui dispositione non falleretur, malitiam eorum in suam convertit clementiam, et immisit eis persecutions et afflictiones, quibus purgati ad regnum pervenire possent.*—*Sed ne in dubium veniat, quod dico, quasi patri meo spirituali in confessione aperio, quod patroni loci nostri, b. Joannes et Paulus, saepius nos visitare dignati sunt, quos ego super haec interrogari feci, et hujusmodi sententiam responderunt. Dicebantque, multitudinem Angelorum, qui ceciderant, de illis, qui ibi mortui sunt, esse restaurata;* and weakened the enthusiasm for crusades in general. See Wilken, III. i. 270.

¹⁶ Compare the outburst of their discontent against Eugene in the Council of Rheims, 1148, in Otto Frising. *de rebus gest.* Frid. lib. i. c. 57: *Scire debes, quod a nobis, per quos tanquam per cardines universalis Ecclesiae volvitur axis, ad regimen totius Ecclesiae promotus, a privato universalis pater effectus, jam deinceps te non tuum sed nostrum potius esse oportere: nec privatas et modernas amicitias antiquis et communibus praeponere, etc.*

¹⁷ *De consid.* ii. c. 8. Description of the pontifical dignity: *Quis es?* Sacerdos magnus, summus Pontifex. Tu princeps Episcoporum, tu haeres Apostolorum, tu primatus Abel, gubernatu Noe, patriarchatus Abraham, ordine Melchisedech, dignitatem Aaron, auctoritate Moyses, judicatus Samuel, potestate Petrus, unctione Christus. Tu es, cui claves traditae, cui oves creditae sunt. Sunt quidem et alii caeli janitores, et gregum pastores: sed tu tanto gloriosius, quanto et differentius utrumque prae caeteris nomen haereditasti. Habent illi sibi assignatos greges, singuli singulos: tibi universi crediti, uni unus. Nec modo ovium, sed et pastorum tu unus omnium pastor.

¹⁸ For instance, *De consid.* ii. c. 6. *Factum (te) superiorem dissimulare nequimus; sed enim ad quid, omnimodis attendendum; non enim ad dominandum opinor.*—*Multo minus inveniri oportet aut deliciis resolutum, aut resupinum pompis.* Nihil horum tibi tabulae testatoris assignant.—*Nec locus est otio, ubi sedula urget solicitude omnium Ecclesiarum.* Nam quid tibi aliud dimisit s. Apostolus? *Quod habeo, inquit, hoc tibi do* (*Act.*

Meanwhile, Eugene had continually to struggle against the opposition party, still a strong one, at Rome.²⁰ And the accession

iii. 6). Quid illud? Unum scio, non est aurum neque argentum, cum ipse dicat: *Aurum et aurum non est mihi*. Si habere contingat, utere non pro libitu, sed pro tempore. —Usus horum bonus, abusus mala, sollicitudo pejor, quaestus turpior. Esto, ut alia quaque ratione haec tibi vindices, sed non apostolico jure. Nec enim tibi ille dare, quod non habuit, potuit. Quod habuit, hoc dedit, sollicitudinem, ut dixi, super Ecclesias. Numquid dominationem? Audi ipsum: *Non dominantes, ait, in clero, sed forma facti gregis* (1 Petr. v. 3). Et ne dictum sola humilitate putes, non etiam veritate, vox Domini est in Evangelio: *Reges gentium dominantur eorum, etc.*, et infert: *Vos autem non sic* (Luc. xxii. 25, 26). Planum est, Apostolus interdicitur dominatus.—Lib. iii. c. 1: Praesisis ut proasis,—ut dispenses, non imperes. Hoc fac, et dominari ne affectes hominum homo, ut non dominetur tui omnis injustitia. At satis superque id intimatum supra, cum, quis sis, disputaretur. Addo tamen et hoc: nam *nullum tibi venenum, nullum gladium plus formidō, quam libidinem dominandi*. Lib. iv. c. 2: Inter haec tu pastor procedis deauratus, tam multa circumdatuſ varietate. Oves quid capiunt? Si auderem dicere; daemonum magis quam ovium pascua hacc. Seilicet sic factitabat Petrus, sic Paulus ludebat? Vides omnem ecclesiasticum zelum fervore sola pro dignitate tuenda? Honori totum datur, sanctitati nihil, aut parum.—Cap. 3: Scio, ubi habitas; increduli et subversores sunt tecum. Lupi, non oves sunt: talium tamen tu pastor.—Hic, hic non parco tibi, ut parcat Deus. Pastorem te populo huic certe aut nega, aut exhibe. Non negabis, ne, cuius sedem tenes, te neget haeredem. Petrus hic est; qui nescitur processisse aliquando vel gemmis ornatus, vel sericis, non tectus auro, non vectus equo albo, nec stipatus milite, nec circumstrepentibus septus ministris.—*In his successisti non Petro, sed Constantino. Consulo toleranda pro tempore, non affectanda pro debito.* Ad ea te potius incito, quorum te scio debitorem.

¹⁹ L. c. lib. ii. c. 6: I ergo tu, et tibi usurpare aude aut dominans apostolatum, aut apostolicus dominatum. Plane ab alterutro prohiberis. *Si utrumque simul habere voles, perdes utrumque.* Alioquin non te exceptum illorum numero putes, de quibus queritur Deus sic: *Ipsi regnaverunt, et non ex me: principes extiterint, et ego non cognovi* (Hos. viii. 4). Iam si regnare sine Deo juvat, habes gloriam, sed non apud Deum. At si interdictum tenemus, audiamus edictum: *Qui major est vestrum, fiat sicut junior, et qui predecessor est, sicut qui ministrat* (Luc. xxii. 26). Forma apostolica haec est; dominatio interdicitur, in-dicitur ministratio.

²⁰ Which now, under the title of S. P. Q. R., enlarged its claims even over the Empire. Guntheri Ligurinus, lib. iii. v. 337, ss., writes on Arnold's activity in Rome:

Consiliis armisque sua moderamina summa
Arbitrio tractare suo, nil juris in hac re
Pontifici summo, modicum concedere Regi,
Suadebat populo.

Cf. Eugenii P. epist. ad Wibaldum Abb. ann. 1152 (in Martene et Durand ampliss. collect. ii. 553): Ad haec Sanctitati tuae quaedam notificamus, quae faciente Arnolfo haeretico rusticana quaedam turba absque nobilium et majorum scientia nuper est in urbe molita. Circiter enim duo millia in unum sunt secretius conjurati, et in proximis Kal. Novembri centum perpetuos senatores malorum operum et duos consules, alter quorum infra urbem, alter extra, illorum centum consilio reipublicae statum disponant, immo potius rodant (an institution probably borrowed from the Lombard Towns, Savigny's Gesch. d. Rom. Rechts im Mittelalter, iii. 116). Unum autem, quem volunt Imperatorem dicere, creare disponunt, quem illis centum, duobus consulibus et omni populo Romano sperant, quod debeat mortisferre imperare. Quod quia contra coronam Regni et carissimi filii nostri Friderici, Romanorum Regis, honorem attentare praesumunt, eidem volumus per te secretius nuntiari, etc. About the same time, one Wetzel wrote to the Emperor Frederick (ibid. p. 554): Immensa laetitia, quod gens vestra vos sibi in Regem elegerit, moveor. Caeterum quod consilio clericorum et monachorum, quorum doctrina divina et humana confusa sunt,

of Frederick I. (Barbarossa) in 1152 to the empire in Germany, increased the danger of the Papacy; for, though he immediately made overtures of friendship to the Pope,²¹ still, at the same time, he gave proof that he was prepared stoutly to maintain his imperial rights.²²

§ 52.

HADRIAN IV. (1154–1159.) ALEXANDER III. († 1181.)

[H. Reuter, Geschichte Alexander III. und seine Zeit. 1. 1845.]

Hadrian compelled the Romans to banish the dangerous Arnold of Brescia.¹ But a more redoubtable antagonist seemed to arise in Frederick I., when he set forth on his Roman journey, with the intention of restoring the almost forgotten imperial rights in Italy (1154), and began with humbling the Lombard towns.²

sacrosanctam Urbem, dominam mundi, creatricem et matrem omnium Imperatorum, super hoc, sicut deberētis, non consūlistis, et ejus confirmationem, per quam omnes, et sinc qua nulli umquam Principes imperaverunt, non requisistis, nec ei sicut filius, si tamen filius et minister ejus esse proposuistis, non scripsistis, vehementer doleo. This too is worthy of note: Mendacium vero illud et fabula haerética, in qua refertur Constantiū Silvestro imperialia simoniace concessisse in Urbe, ita detecta est, ut etiam mercenarii et mulierculae quoslibet etiam doctissimos super hoc concludant [*confundant?*], et dictus Apostolicus cum suis Cardinalibus in civitate prae pudore apparere non audeant. At the end comes a suggestion, that he should soon send ambassadors to Rome, assumptis peritis legum, qui de jure imperii sciant et audeant tractare—et ne aliquid novi ibi contra vos surget, praevenire curate.

²¹ Comp. Frid. ep. ad Eugen. III. (in Martene et Durand ampl. coll. ii. 516). The tidings of his election and expression of good-will. Thereupon a treaty was concluded (apud Baron. 1152 no. 5), in which the Emperor promised, quod ipse nec treugam nec pacem faciet cum Romanis nec cum Rogerio Rege Siciliae sine libero consensu et voluntate Romanorum et domini Papae Eugenii,—et pro viribus laborabit Romanos subjugare domino Papae, etc. The Pope, on the other hand, quod—Imperatorem coronabit, et ad manutenendum, augendum et dilatandum honorem Imperii pro debito officii sui juvabit. The doubts which Schrockh, xxvi. 150, and after him Planck and Schmidt, have raised about the date of this document, Constantiae X. Kal. Apr. Ind. XV., anno dominicae Incarnationis MCLII., are groundless. At that time the year began with Easter (comp. l'art de vérifier les dates, nouv. éd. par M. de Saint Alais i. 21. Note); so this date, according to our calendar, is the 23d of March, 1153. But that Frederick was actually in Constance at that time, see Raumer, ii. 530.

²² In this way he carried his right of decision in a disputed election at Magdeburg. Otto Fris. de Rebus gest. Frid. I. lib. ii. c. 6, ss. Schmidt's KG. vi. 180. Raumer, ii. 13.

¹ Vita Adriani IV. ex Card. Aragon. in Muratori III. i. 441, ss. Baronius also, ann. 1155, no. 1. ss., gives us the same passage relating to this matter out of a manuscript in the Vatican.

² J. Voigt, Gesch. des Lombarden-Bundes und s. Kampfes mit K. Friedrich I. Königsberg, 1818. Schlosser, III. i. 294. Raumer, ii. 16.

However, the Pope was evidently more at ease when Frederick commanded that Arnold, now wandering from place to place, should be delivered up to him,³ and rejected the proposals of the arrogant Romans.⁴ Little misunderstandings were laid aside,⁵ and on the 18th of June, 1155, Frederick received the Imperial crown.

Frederick felt himself all the more aggrieved when (1156) the Pope concluded a treaty for himself with their common enemy, William, king of Sicily, and confirmed him in his conquests.⁶ The arrogant expressions of a Papal brief to the Emperor gave the first occasion for an outbreak of discontent (1157);⁷ and as all estates,

³ Otto Frising. de gest. Frid. lib. ii. c. 20 (in Murat. 21). Godofredi Viterbiensis Pantheon. P. xvii. Gerhohus (Provost in Reichersberg, † 1169) de investigat. Antichristi lib. i. (in Gretser prolegg. ad scriptt. adv. Waldenses, c. 4): suspendio neci traditus, quin et post mortem incendio crematus, atque in Tiberim fluvium projectus est, ne videlicet Romanus populus, quem sua doctrina illexerat, sibi eum Martyrem dediearet. Quem ego vellem pro tali doctrina sua, quamvis prava, vel exilio, vel carcere, aut alia poena praeter mortem punitum esse, vel saltem taliter occisum, ut Romana Ecclesia seu Curia ejus necis quaestione careret.

⁴ Given in detail by Otto Fris. l. c. cap. 21 (in Murat. 22).

⁵ There are several notices of the quarrel about holding the stirrup in Helmoldi Chron. Slav. i. c. 80. And in the Vita Adr. ex. Card. Arag. l. c. p. 443.

⁶ The treaties of peace are preserved by Baronius 1156, no. 4. The Pope granted to William to hold in fee regnum Siciliae, ducatum Apuliae, principatum Capuae cum omnibus pertinentiis suis, Neapolim, Salernum, et Malphiam cum pertinentiis suis, Marchiam et alia quae ultra Marsicam debet habere. On this account Frederick accused the Pope (Radevicius de gestis Frid. lib. ii. c. 31), quod ipse prior pacem atque concordiam, quac inter Papam Eugenium et nos facta fuerat et scripta, violasset in Siculo, cui ipse sine nobis reconciliari non debuisse (cf. § 51. not. 21). Besides, so early as 1137 Lothair had claimed the feudal lordship of Apulia (Otto Fris. Chron. vii. c. 20). However, Innocent II., 1139, without any reference to the Emperor, had enfeoffed Roger in these lands also (Baron. 1139 no. 12); yet the Emperor's claims were never withdrawn. — Comp. Raumer, ii. 71.

⁷ On the whole scene at the meeting of the Imperial diet in Besançon, see Radevicius lib. i. c. 8–10. The objectionable passage of the Papal brief (ib. c. 9. in Mansi xxi. 789) runs thus: Debes enim, glorioissime fili, ante oculos mentis reducere, quam gratauerit et quam jucunde alio anno mater tua sacrosancta Romana Ecclesia te suscepere, —quantam tibi dignitatis plenitudinem *contulerit* et honoris, et qualiter imperialis insigne coronae libertissime *conferens*, benignissimo gremio suo tuae Sublimitatis apicem studuerit *confovere*. —Neque tamen poenitet nos desideria tuae voluntatis in omnibus implevisse: sed si majora *beneficia* Excellentia tua de manu nostra suscepisset, si fieri posset, considerantes, quanta Ecclesiae Dei et nobis per te incrementa possint et commoda provenire, non immerito gauderemus. Radevicius, c. 10, remarks, these words were offensive to the nobles on this account, quod a nonnullis Romanorum temere affirmari noverant, imperium Urbis, et regnum Italicum donatione Pontificum Reges nostros hactenus possedit, idque non solum dictis, sed et scriptis atque picturis repraesentare, et ad posteros transmittere. Unde de Imperatore Lothario in palatio Lateranensi super hujusmodi picturam scriptum est:

Rex venit ante fores, jurans prius Urbis honores,
Post homo fit Papae, sumit quo dante coronam.'

even the bishops, partook in it,⁸ the Pope was forced to endeavor by excuses to soften their indignation (1158).⁹ Thereupon Frederick went a second time into Italy,¹⁰ held a brilliant Parliament

(There is a description of this painting in the chron. Godefredi s. Pantal. in Würdtwein nov. subsid. diplom. xiii. 33. The feudal grant of Matilda's allodium, § 51, note 4, was understood as a grant of the empire in fee). The noise grew yet greater, when one of the legates hazarded the question: *A quo ergo habet, si a domino Papa non habet imperium? ob hoc dictum eo processit iracundia, ut unus eorum, videlicet Otto Palatinus Comes de Bajoaria, ut dicebatur, prope exerto gladio cervici illius mortem intentaret.* At Fridericus auctoritate praesentiae suae interposita, tumultum quidem compescuit: ipsos autem legatos securitate donatos ad habitacula deduci, ac primo mane via proficisci praecepit: addens in mandatis, ne hac vel illae in territoriis Episcoporum seu Abbatum vagarentur, sed recta via, nec ad dextram, nec ad sinistram declinantes, reverterentur ad Urbem. Then Radwich adds an appeal from the Emperor to the kingdom issued on this account. Comp. Planck, IV. i. 365.

⁸ Radevicus l. c. 15: The legates came back so indignant to Rome that, in ultionem eorum, quae se pertulisse dixerunt, Romanae urbis Episcopum provocarent. In hoc negotio clerici Romanus ita inter se divisus est, ut pars eorum partibus faveret Imperatoris, et eorum qui missi fuerant incuriam seu imperitiam causaretur, quaedam vero pars votis sui Pontificis adhaeret. Radwich places next the epistle of the Pope to the German bishops (also in Mansi xxi. 790). But they in their answer declare themselves very decisively on the side of the Emperor (Radev. i. c. 16. Mansi xxi. 792), and transmit to the Pope the following statement of the Emperor: *Duo sunt, quibus nostrum regi oportet imperium, leges sanctae Imperatorum et usus bonus praedecessorum et patrum nostrorum. Istos limites Ecclesiae nec volumus praeferre, nec possumus: quicquid ab his discordat, non recipimus. Debitam patri nostro reverentiam libenter exhibemus; liberam Imperii nostri coronam divino tantum beneficio adscribimus, electionis primam vocem Moguntino Archiepiscopo, deinde quod superest, caeteris secundum ordinem Principibus recognoscimus, regalem unctionem Coloniensi, supremam vero, quae imperialis est, summo Pontifici: quicquid praeferre hacc est, ex abundanti est, a malo est.—In capite orbis Deus per Imperium exaltavit Ecclesiam, in capite orbis Ecclesia (non per Deum, ut credimus) nunc demolitur Imperium. A pictura coepit, ad scripturam pictura processit, scriptura in auctoritatem prodire conatur. Non patiemur, non sustinebimus: coronam ante ponemus, quam Imperii coronam una nobiscum sic deponi consentiamus. Picturae delectantur, scripturae retrahentur, ut inter Regnum et Sacerdotium aeterna inimicitarum monumenta non remaneant.* Accordingly, the bishops advise, ut magnanimitate filii vestri, sicut bonus Pastor, leniatis scriptis vestris scripta priora suavitate mellita dulcorantibus, etc.

⁹ Hadrianī ep. ad. Frid. (in Radevicus, i. c. 22, in Mansi xxi. 793):—Occasione siquidem ejusdam verbi, quod est, “*beneficium*” tuus animus, sicut dicitur, est commotus, quod utique, nedum tanti viri, sed nec ejuslibet minoris animum merito commovisset. Licet enim hoc nomen quod est *beneficium*, apud quosdam in alia significatione, quam ex impositione habeat, assumatur: tunc tamen in ea significatione accipendum fuerat, quam nos ipsi posuimus, et quam ex institutione sua noscitur retinere. Hoc enim nomen ex bono et facto est editum, et dicitur *beneficium* apud nos non feudum, sed bonum factum. —Et tua quidem Magnificentia liquido recognoscit, quod nos ita bene et honorifice imperialis dignitatis insigne tuo capiti imposuimus, ut bonum factum valeat ab omnibus judicari. Unde quod quidam verbum hoc et illud, scilicet: *Contulimus tibi insigne imperialis corona*, a sensu suo visi sunt ad alium retorquere: non ex merito causae, sed de voluntate propria, et illorum suggestione, qui pacem Regni et Ecclesiae nullatenus diligunt, hoc egerunt. Per hoc enim vocabulum *contulimus* nil aliud intelleximus, nisi quod superius dictum est *imposuimus*.

¹⁰ For what follows, see Planck, IV. i. 375. Voigt Gesch. des Lombarden-Bundes, s. 13. Schlosser, III. i. 309. Raumer, ii. 84.

on the Roncalian Fields, and here (1158) had the Imperial privileges defined, according to the fundamental principles of the Roman jurisprudence, by civilians from Bologna.¹¹ As the bishops and the Pope were injured thereby in many points,¹² strict explanations ensued between the latter and the Emperor,¹³ and Ha-

¹¹ The four doctors of Ravenna were Bulgarus, Martinus Gosias, Jacobus Hugolinus, and Hugo de Porta Ravennate. Now the maxim that the Emperor was the lord of the world, taken from the Roman law (*Dig. lib. xiv. tit. 2. l. 9*: *Ego quidem mundi dominus*), began to be vindicated (see the anecdote in *Otto Morena*, according to the edition of Ossius in *Muratori scriptt. rer. Ital. vi. 1018*); and the Archbishop of Milan utters the following maxims in an address to the Emperor (*Radevicius*, ii. c. 4): *Scias itaque omne jus populi in condendis legibus tibi concessum, tua voluntas jus est, sicuti dicitur: Quod Principi placuit, legis habet vigorem, cum populus ci et in eum omne suum imperium et potestatem concesserit.* Quocunque enim Imperator per epistolam constituerit, vel cognoscens deceiverit, vel edicto praeeperit, legem esse constat. Very nobly does Frederick speak his mind on this point, in the speech with which he opened the Diet (l. c. cap. 3): *Nos regium nomen habentes, desideramus potius legitimum tenere imperium pro conservanda cuique sua libertate et jure, quam, ut dicitur, omnia impune facere, h. e. Regem esse, per licentiam insolescere, et imperandi officium in superbiam dominationemque convertere.* — Sed nec per nostram desidiam quemquam Imperii gloriam et excellentiam imminuere patiemur.

¹² Especially by the following act. Before now, in the year 1136, Lothair had passed a law in the Roncalian Diet, *nemini licere beneficia, quae a suis senioribus habet, sine ipsorum permissione distrahere* (*cod. de feudis tit. 52*). Frederick renewed this decree in the present Diet (*Radevicius*, ii. c. 7, *Cod. de feud. tit. 55*): *sancimus, ut nulli licet feudum totum vel partem aliquam vendere, vel pignorare, vel quomodolibet alienare, vel pro anima judicare, sine permissione majoris domini, ad quem feudum spectare dinoscitur.* Unde Imperator Lotharius tantum in futurum cavens, ne fieret, promulgavit. Nos autem ad pleniorum regni utilitatem providentes, non solum in posterum, sed etiam hujusmodi prius illicitas alienationes perpetratas hac praesenti sanctione *cassamus, et in irritum deducimus*, etc. *Guntheri Ligurinus*, ix. v. 105 ss. :

Praecipue postquam sua jura recognita fisco
Assensu Procerum per cunctas comperit urbes,
Indoluit facto, quantumque videbat honoris
Accessisse Viro, tantum Pater ipse putabat
Decessisse sibi, etc.

¹³ The two bitter letters from Hadrian to Frederick, and from Frederick to Hadrian, in the appendix to *Radevicius* (in *Baron. ann. 1159 no. 5 and 6*), *Muratori annal. vi. 536*, considers as spurious, yet without proof. The points at issue one sees most exactly from the negotiations of a Papal Embassy with the Emperor, of which Eberhard, bishop of Bamberg, present at the time, sends intelligence to Eberhard, archbishop of Salzburg (ap. *Radevicium*, ii. c. 30). The Pope made the following demands: *Nuntios ad Urbem ignorante Apostolico ab Imperatore non esse mittendos, cum omnis magistratus inibi b. Petri sit cum universis regalibus. De dominicalibus Apostolici fodrum non esse colligendum, nisi tempore suscipienda coronae. Episcopos Italiae solum sacramentum fidelitatis sine hominio facere debere domino Imperatori. Neque nuntios Imperatoris in palatiis Episcoporum recipiendos. De possessionibus Ecclesiae Romanae restituendis, et tributis Ferrariae, Massae, Ficoroli, totius terrae Comitissae Mathildis, totius terrae quae ab Aquapendente est usque Romam, ducatus Spoletoni, insularum Sardiniae, Corsicae.* Frederick had many counter-grievances; to these proposals he answered: *Quamvis non ignorem ad tanta negotia non ex animi mei sententia, sed ex consilio Principum me respondere debere, sine praejudicio tamen sapientum hoc absque con-*

drian was just on the point of pronouncing the ban upon Frederick when he died (1159).

Notwithstanding this, two parties had grown up in the College of Cardinals—one Imperial, the other Sicilian:¹⁴ a disputed election was the consequence. Victor IV. was recognized by Frederick, Alexander III. in most other countries.¹⁵ Meanwhile, the hatred of the Lombards against Frederick was aggravated more and more by oppressions.¹⁶ The Veronese League was formed;¹⁷ encouraged by Alexander's return to Rome (1165),¹⁸ it quickly extended itself as a Lombard League,¹⁹ fought with increasing advantage against the Emperor, and forced him at last, by the battle of Legnano (1176),²⁰ to submission. Alexander's cause had been hitherto one with that of the Lombards: in order to separate them, Frederick gave up his Pope;²¹ he made peace with Alexander at Venice (1177), while he only granted to the Lombards a truce for six years.²²

sultatione respondeo. Episcoporum Italiae ego quidem non affecto hominum, si tamen et eos de nostris regalibus nihil delectat habere. Qui si gratanter audierint a Romano Praesule: *quid tibi et Regi?* consequenter quoque eos ab Imperatore non pigate audire: *quid tibi et possessioni?* (according to Augustini in Joannem tract 6, in Gratianus, dist. viii. c. I). Nuntios nostros non esse recipiendos in palatiis Episcoporum asserit. Concedo, si forte aliquis Episcoporum habet in suo proprio solo et non in nostro palatum. Si autem in nostro solo et allodio sunt palatia Episcoporum, cum profecto omne quod aedificatur solo cedat (according to Digestor. lib. xli. tit. 1. leg. 7, § 10), nostra sunt et palatia. Injuria ergo esset, si quis nuntios nostros a regiis palatiis prohiberet. Legatos ab Imperatore ad Urbem non esse mittendos affirmat, cum omnis magistratus inibi b. Petri sit cum universis regalibus. Haec res, fateor, magna est et gravis, graviorque et maturiori egens consilio. Nam cum divina ordinatione ego Romanus Imperator et dicar et sim, speciem tantum dominantis effingo, et inane utique porto nomen ac sine re, si urbis Romae de manu nostra potestas fuerit excussa.

¹⁴ There are traces of this above, in note 8.

¹⁵ Planck, IV. i. 384. Raumer, ii. 123. H. Reuter's Geschichte Alexander III. u. d. Kirche s. Zeit, Bd. i. (Berlin, 1845), s. 129, 401. The circular letter of the Concil. Pa-piense ann. 1160, in behalf of Victor, which Mansi xxi. 1117; gives also, but only in a mutilated form from Radevicus' *de gestis Frid.* I. lib. ii. c. 70, is to be seen complete in Edw. Brown's appendix ad fasciculum rerum expetendarum et fugiendarum. Lond. 1690, fol. p. 552.

¹⁶ Geschichte der Verhaltnisse des Kaisers zu den Lombarden b. Voigt, s. 19, ff. Raumer, ii. 113, 179.

¹⁷ Voigt, s. 55. Raumer, ii. 185.

¹⁸ Voigt, s. 80. Raumer, ii. 197.

¹⁹ Voigt, s. 89. Raumer, ii. 203.

²⁰ Voigt, s. 266. Raumer, ii. 244.

²¹ After Victor IV. († 1164) Pascal III. succeeded, who canonized Charlemagne at Frederick's request (1165 Act. ss. ad d. 28, Jan. p. 888. C. G. F. Walchii hist. canoni-sat. Caroli M. Jenae, 1750. 8), † 1168, then followed Calixtus III.

²² Voigt, s. 274. Schlosser, III. i. 327. Raumer, ii. 246. About the negotiations for peace there are two detailed narratives, one in the life of Alexander III., ex Card. Aragon.

Alexander maintained a still more glorious struggle with Henry II., king of England.²³ Instead of the strict subjection in which

(in Muratori III. i. 467); the other in the chronicle of Romualdus Archiep. Salernitan., who as Sicilian embassador was present at the time (in Müratori vii. 217). The acts in Baronius, 1177, no. 13, ss., are only extracts from these two sources. Besides these are Alex. III. epist. ad Petrum Abb. Casin., ad Richardum Archiep. Cantuariensem, and ad Rogerium Archiep. Eboracensem in Baronius I. c. no. 24–26, in Mansi xxii. 178.—For the negotiations between the Lombards and Frederick, see the legal documents in Muratorii antiquitt. Ital. medii aevi iv. 275, between William of Sicily and Frederick in Romualdus I. c. The most important legal document on Frederick's negotiations with the Pope is: *Pax et reconciliatio inter Alex. III. P. et Frid. I. Imp. Anagniae tractata atque praeleminariter conventa ann. 1176* (is handed down to us *ex archivis Anagniensibus* by Sigo[n]ius hist. *Italiae*, lib. xiv., but with arbitrary alterations, and thus adopted into Goldasti constitt. imperiall. iii. 360. The genuine text *ex cod. Claudio-Noburgensi* in J. D. Schoepflii commentatt. histor. et crit. Basil. 1741. 4, p. 533, ss.). The principal conditions are, acknowledgment of Alexander as Pope, a fifteen years' peace with William, king of Sicily, a six years' peace with the Lombards. Besides, III. : *Omnem vero possessionem et tenimentum sive praefecturae sive rei alterius, quam Ecclesia Romana habuit, et ipse abstulit per se vel per alios, bona fide restitut[ei] salvo omni jure Imperii. Ecclesia quoque Romana omnem possessionem et tenimentum, quod ei abstulit per se vel per alios, bona fide ei restitut[ei] salvo omni jure Ecclesiae Romanae.* (The words in brackets are left out by Sigo[n]ius.) About Matilda's lands, which had been surrendered to the Emperor by Guelph VI. in the year 1167, the negotiations led to no conclusion. The Pope allowed the Emperor no more than a provisional right of possession during the fifteen years of the peace with Sicily. Then should all be definitely settled (Scheidii origines Guelficae, ii. 382). The statements of Italian writers, since the fourteenth century, of some disgraceful humiliations, which Frederick was obliged to submit to in Venice (see on this head six papers in J. R. Wegelin thesaurus rerum Suevicarum, vol. ii. Lindav. 1757. fol.), are decidedly contradicted from the narrative of an eye-witness in the Chronicon Venetum, *quod Altinate nuncupatur*, in the Archivio storico italiano, t. viii. (Firenze, 1845. 8), p. 174.

²³ Sources for the following history: Thomae Becket epistolarum libb. vi. ed. Christ. Lupus. Bruxell. 1682. 4. Vita Thomae, by four of his adherents, Joannes Sarisbur. (in ejusd. epist. Paris, 1611. 4), Wilhelmus Stephanides (in histor. Anglic. scriptt. ed. Jos. Sparke. London, 1723, fol.), Alanus and Herebertus de Bosham, from which four lives the Quadrilogus de vita s. Thomae was composed by command of the Pope. (It is found in its best form before Thomae epist. ed. Chr. Lupus.) S. Thomas Cantuariensis ed. J. A. Giles. Oxon. 1846, ss. 8, contains, in vols. 1 and 2, the life of Thomas, by Joh. Sarisb., Wilhelmus, Alanus, and several other men of the time; vols. 3 and 4, epistolae Thomae, greatly enlarged; vols. 5 and 6, epistolae Gilberti Foliot (Bishop of London, and enemy of Thomas); vols. 7 and 8, Herberti de Bosham (Thomas' secretary) opera. The life and letters of Thomas à Becket, by J. A. Giles, London, 1846, 2 vols., is a compilation from these sources. Besides, compare Gervasii Cantuariensis (1199) chron. rerum in Anglia gestarum (in scriptt. x. Anglic. Lond. 1652, fol.), Radulphus de Diceto (1198) imagines historiarum ab ann. 1148 ad ann. 1200 (ibid.), Guilelmus Parvus Neubrigensis (1197) de rebus Angliae sui temporis libb. v. (The best edition by Th. Hearne. Oxon. 1719, 3 vols. 8), and Rogeri de Hoveden (1202) annal. Anglican. (in Savillii historic. Angl. Lond. 1595, fol.), from which Matthew Paris historia major, p. 82, ss., has drawn.—*Works*. Natalis Alex. hist. eccl. saec. xi. et xii. dissert. x., Planck, iv. 1. 396. Schlosser, iii. I. 401. Histoire du démêlé de Henri II., roi d'Angleterre, avec Th. à Becket. Amsterdam. 1756. 8. Histoire de la conquête de l'Angleterre par les Normands, par Aug. Thierry. Paris, 1825, ii. 376 (against Thierry's opinion that Thomas struggled for the interest of the Saxons against the Norman oppressors, see Wilmans in Schmidt's Zeitschr. f. Geschichtswis-

the English clergy were kept by the Kings William I. and II., under Stephen (1135–1154), an almost complete independence had been introduced. This drew many evident disorders in its train. Henry II. wished to restore the former relations.²⁴ He thought he should obtain a faithful ally for this purpose when he raised his chancellor, Thomas à Becket, to the See of Canterbury (1162). However, the new rank changed him all at once into the most arrogant of priests, one whose spiritual pride was but barely clad with a monkish show of humility. In a meeting of the Estates of the Realm at Clarendon (1164), Henry had the ancient statutes with regard to the clergy revived.²⁵ The whole

senschaft, i. 182). Reuter's *Gesch. Alexander III.* i. 288. [Thierry, transl. by Hazlitt, 2. 8. Lond. 1848.—Thos. à Becket, in *English Review*, May, 1853; in *Quart. Review*, Oct. 1853, by A. P. Stanley; in *Gent's. Magaz.* July, 1854; in *Dublin Review* (against Lingard), July, 1855, cf. Milman's *Latin Christ.* vol. 3. F. F. Buss, d. h. Thomas, u. d. *Freiheit d. Kirche.* Mainz, 1856.]

²⁴ *Gulielmus Neubrig. de rebus Angliae lib. ii. c. 16:* Regi circa curam regni satagenti, et malefactores sine delectu exterminari jubenti, a judicibus intimatum est, quod multa contra disciplinam publicam, scil. furta, rapinae, homicidia a clericis saepius committentur, ad quos scilicet laicae non possit jurisdictionis vigor extendi. Denique ipso audiente declaratum dicitur, plus quam centum homicidia intra fines Angliae a clericis sub regno ejus commissa.—Nempe Episcopi dum defendantur magis clericorum libertatibus vel dignitatibus, quam eorum vitiiis corrigendis resecandisque invigilant, arbitrantur obsequium se praestare Deo et Ecclesiae; si facinorosos clericos, quos pro offici debito canonicae vigore censurae coercere vel nolunt vel negligunt, contra publicam tueantur disciplinam. Unde clerici—habentes per impunitatem agendi, quocunque libuerit, licentiam et libertatem, neque Deum,—neque homines potestatem habentes reverentur, cum et episcopalibus circa eos sollicitudo sit languida, et saeculari eos jurisdictioni sacri eximat ordinis praerogativa.

²⁵ Matthew Paris ad ann. 1164, and quoted from him in the collection of synodical acts (in Mansi xxi. 1187) Anno Dom. MCLXIV. in praesentia Regis Henrici apud Clarendonam—facta est recognitio sive recordatio cuiusdam partis consuetudinum et libertatum antecessorum suorum, Regis videlicet Henrici, avi sui, et aliorum, quae observari debebant in regno, et ab omnibus teneri, propter dissensiones et discordias saepe emergentes inter clerum et justitiarios domini Regis et Magnatum regni. Harum vero consuetudinum recognitarum quedam pars in XVI. capitulis continetur. (The following capitula also have been contributed by Baronius ann. 1164, no. 37, from a manuscript in the Vatican, with the Pontifical Damnamus or Toleramus attached to each. from him they are taken by Mansi xxi. 1194.) I. De advocatione et praesentatione Ecclesiarum si controversia emerserit inter laicos, vel inter laicos et clericos, vel inter clericos. in curia domini Regis tractetur et terminetur. *Damm.* II. Ecclesiae de feudo domini Regis non possunt in perpetuum dari absque concessione ipsius. *Toler.* III. Clerici accusati de quacunque re, summoniti a justitiario Regis, veniant in curiam ipsius, responsuri ibidem de hoc, unde videbitur curiae Regis, quod ibi sit respondentum, et in curia ecclesiastica unde videbitur, quod ibi sit respondentum: ita quod Regis justitiarius mittet in curiam s. Ecclesiae ad videndum, quomodo res ibi tractabitur. Et si clericus convictus vel confessus fuerit, non debet eum de caetero Ecclesia tueri. *Damm.* (cf. Radulph. de Diceto ad ann. 1164. Rex—incongruum esse considerans, clericos a suis justitiarius in publico flagitio deprehensos Episcopo loci reddendos, decreverat, ut quos Episcopus in veniret obnoxios, praesente justitiario Regis exauktoraret, et post curiae traderet puniri

ecclesiastical body, and Thomas among them, swore to observe them. Not long after he made his appearance in the character of a rueful penitent; he had himself absolved from his oath by the Pope, and escaped the King's vengeance by flight into France. While Henry upheld his constitutions by sternness and cruelty, Thomas sought to make an impression by complaints, exhortations, and threats. However, the interest of the Pope,²⁶ as well as of the King, required that the matter should not be pushed to the utmost, and so at last a reconciliation ensued (1170).

Thomas was beginning again to spread terror and confusion by ecclesiastical arrogance, when four knights murdered him (29th December, 1170).²⁷ But as Henry was generally considered the instigator of the deed, so the Pope might wrest from him import-

dos. In contrarium sentiebant Episcopi: *quos enim exauktorarent, a manu laicali contendebat protegere; alioquin bis judicaretur in idipsum.* IV. Archiepiscopis, Episcopis et personis Regni non licet exire Regnum absque licentia domini Regis, et si exierint, si Regi placuerit, securum eum facient, quod nec in eundo, nec in redeundo, vel moram faciendo perquirant malum sive damnum domino Regi vel Regno. *Damm.*—VII. Nullus, qui de Rege tenet in capite, nec aliquis dominorum ministrorum ejus, excommunicetur, nec alicujus eorum terrae sub interdicto ponantur, nisi prius dominus Rex, si in regno fuerit, conveniatur, vel justitiarius ejus, si fuerit extra Regnum, ut rectum de eo faciat, et ita quod pertineat ad Regis curiam, ibi terminetur, et quod spectat ad curiam ecclesiasticam, ad eandem mittatur, ut ibidem terminetur. *Damm.* VIII. De appellationibus si emerserint, ab Archidiacono debebit procedi ad Episcopum, ab Episcopo ad Archiepiscopum, et si Archiepiscopus defuerit in justitia exhibenda, ad dominum Regem pervenientum est postremo, ut praecepto ipsius in curia Archiepiscopi controversia terminetur; ita quod non debeat ultra procedi absque assensu domini Regis. *Damm.* IX. Si calumnia emerserit inter clericum et laicum, vel c converso, de ullo tenemento, quod clericus velit ad eleemosynam trahere, vel laicus ad laicum feudum, per recognitionem XII. legalium hominum, juxta capitalis justitiarii Regis considerationem terminabitur, utrum tene- mentum sit pertinens ad eleemosynam sive ad laicum feudum, coram justitiario Regis. *Damm.*—XI. Archiepiscopi, Episcopi et universae personae Regni, qui de Rege tenent in capite, habeant possessiones suas de Rege sicut baroniam, et inde respondeant justitiariis et ministris Regis, et sequantur et faciant omnes rectitudines et consuetudines regias; et sicut caeteri barones debent interesse judiciis curiae Regis cum Baronibus, quounque perveniatur ad diminutionem membrorum vel ad mortem. *Toler.* XII. Cum vacaverit archiepiscopatus, vel episcopatus, vel abbatia, vel prioratus in dominio Regis, esse debet in manu ipsius, et inde percipiet omnes redditus et exitus sicut dominicos redditus suos. Et cum ventum fuerit ad consulendam Ecclesiam, debet dominus Rex mandare potiores personas Ecclesiae, et in capella ipsius Regis debet fieri electio, assensu ipsius Regis et consilio personarum Regis, quas ad hoc faciendum advocaverit. Et ibidem faciet electus homagium et fidelitatem Regi, sicut ligio domino suo, de vita sua et membris, et de honore terreno, salvo ordine suo, priusquam consecretur. *Damm.*—XV. Placita de debitis, quae fide interposita debentur, vel absque interpositione fidei, sint in justitia regis. *Damm.*

²⁶ As to the negotiations of Henry with the Emperor Frederick about the acknowledgment of the Antipope Pascal at the Council of Wurtzburg, see Mansi xxi. 1113.

²⁷ On his death and the miracles at his tomb, see Johannis Sarisbur. ep. 286. (Bibl. PP. Lugd. xxiii. 528.)

ant concessions (1172).²⁸ Thomas was canonized; and as Henry soon after was thrown into great embarrassment by the rebellion of his sons, he was compelled, in order to win over public feeling to his side, to undergo a disgraceful penance at the tomb of his adversary (1174).

Alexander III. began to dispose of the kingdoms of the world in a new way, when he declared the independence of Portugal, to

²⁸ See Gervasius Cantuar. and Roger de Hoveden ad ann. 1172. *Charta absolutionis domini Regis : Henrico Dei gratia illustri Regi Anglorum Albertus—et Theodimus, presbyteri Cardinales, apostolicae sedis legati, salutem in eo, qui dat salutem Regibus.—Nos mandatum illud in scriptum duximus redigendum, quod vobis pro eo facimus, quia malefactores illos, qui sanctae memoriae Thomam quandam Cantuariensem Archiepiscopum occiderunt, occasione motus et turbationis, quam viderant in vobis, ad illud facinus processisse timetis.* Super quo tamen facto purgationem in praesentia nostra de voluntate propria praestitistis, quod videlicet nec praecepistis nec voluistis, ut occideretur, et quando pervenit ad vos, plurimum condoluitis. Ab instanti festo Pentecostes usque ad annum tantam dabitis pecuniam, unde ad arbitrium fratum templi ducenti milites valeant ad defensionem terrae Hierosolymitanae per spatium unius anni teneri. Vos autem a sequenti natali Domini usque ad triennium accipietis crucem, proxima tunc aestate illuc in propria persona, ducente Domino, profecturi, nisi remanseritis per dominum Papam, vel catholicos successores ejus. Sane si contra Saracenos pro urgente necessitate in Hispaniam profecti fueritis ; quantum temporis fuerit, ex quo arripueritis iter, tantundem supradictum spatium Jerosolymitanae perfectionis poteritis prolongare. Appellationes nec impeditis, nec impediri permittetis, quin libere fiant in ecclesiasticis causis ad Romanum Pontificem, bona fide et absque fraude et malo ingenio, ut per Romanum Pontificem causae tractentur, et consequantur effectum suum : sic tamen, ut, si vobis suspecti fuerint aliqui, securitatem faciant, quod malum vestrum, vel Regni vestri non quaerunt. Consuetudines, quae inductae sunt contra Ecclesias terrae vestrae in tempore vestro, penitus dimittetis. Possessiones Cantuariensis Ecclesiae, si quae ablatae sunt, in plenum restituatis, sicut habuit uno anno antequam Archiepiscopus de Anglia egredetur. Clericis practerea et laicis utriusque sexus pacem vestram in gratiam, et possessiones suas restituatis, qui occasione prae nominati Archiepiscopi destituti fuerunt. Haec autem vobis, auctoritate domini Papae, in remissionem peccatorum vestrorum injungimus et praeceperimus observare absque fraude et malo ingenio. Hoc sane coram multitudine personarum juravistis vos pro divinae reverentiae majestatis : juravit et filius vester, excepto eo, quod personam vestram specialiter contingebat. Et jurastis ambo, quod a Papa domino Alexandro et catholicis successoribus ejus, quamdui vos sicut antecessores vestros et catholicos Reges haberint, minime recedetis. The Juramentum Innocentiae Henrici R. in the vita Alexandri III. ex Card. Aragon. (in Muratori III. i. 462), and quoted from him by Baronius 1172, no. 5, is probably the Papal draft, and was certainly not executed by the King in this shape. Comp. the conclusion : *Praeterea ego et major filius meus Rex juramus, quod a domino Alexandro P. et ejus catholicis successoribus recipiemus et tenebimus Regnum Angliae, et nos, et nostri successores in perpetuum non reputabimus nos Angliae Reges veros, donec ipsi nos catholicos Reges tenuerint.* From the letter of the Papal Legates to the Archbishop of Ravenna (in Roger. de Hoveden, l. c.) it is clear that at first they could not effect an agreement with the King.—In the year 1173 Henry writes with a view to bring over the Pope to his side against his sons (Petri Bles. ep. 136. in Baron. 1173 no. 10) : *Vestrae jurisdictionis est Regnum Angliae, et quantum ad feudatariorum juris obligationem vobis dumtaxat obnoxius teneor et adstringor. Experiatur Anglia, quid possit Romanus Pontifex, etc., and thus it is possible that the oath also may have been interpolated by a Roman hand to suit these later events.*

which Castile and Leon laid claim, and granted to it the conquests to be won from the Saracens.²⁹ He sought to obviate the disputed elections so dangerous to the Papal power, by means of a decree of the third Lateran Council (1179), in which, at the same time, the entire dependence of the election upon the Cardinals, just as it was already constituted at that period, was formally recognized.³⁰

§ 53.

LUCIUS III. (1181–1185), URBAN III. († OCT. 1187), GREGORY VIII. († DEC. 1187), CLEMENT III. († 1191), CELESTINE III. († 8. JAN. 1198).

Hazardous times for the Papacy seemed to be at hand. While the disturbances at Rome began afresh, and Lucius III. and his immediate successor had to wander from place to place in Italy,¹ Frederick consolidated his power more and more in this country. He made peace with the Lombards at Constance (June 25, 1183).²

²⁹ The Bull addressed to Alphonso I., king of Portugal in *Branda Monarchia Lusit.* lib. x., and in Aschbach's *Geschichte Spaniens u. Portugals zur Zeit der Almoraviden und Almohaden*, ii. 296 :—personam tuam—sub b. Petri et nostram protectionem suscipimus, et Regnum Portugallensium cum integritate honoris, Regni dignitate, quae ad Reges pertinet, nec non et omnia loca, quae cum auxilio caelestis gratiae de Saracenorum manibus eripueris, in quibus jus sibi non possunt christiani Principes circumpositi vindicare, Excellentiae tuae concedimus, et auctoritate apostolica confirmamus.—Ad indicum autem, quod praescriptum Regnum b. Petri juris existat, pro amplioris reverentiae argumento, statuisti duas marcas auri annis singulis nobis nostrisque successoribus persolvendas.

³⁰ Cone. Lateran. iii. c. 1 (*Mansi xxii. 217*) : Statuimus igitur, ut si forte, inimico homine superseminante zizania, inter Cardinales de substituendo Pontifice non potuerit concordia plena esse, et duabus partibus concordantibus tertia pars noluerit concordare, aut sibi alium praesumserit ordinare; ille Romanus Pontifex habeatur, qui a duabus partibus fuerit electus et receptus. Si quis autem de tertiae partis nominatione confusus, quia rem non potest, sibi nomen Episcopi usurpaverit: tam ipse, quam qui cum receperint, excommunicationi subjaceant, et totius sacri ordinis privatione mulcentur, ita ut viatici eis etiam, nisi tantum in ultimis, communio denegetur, et nisi resipuerint, cum Dathan et Abiron, quos terra vivos absorbuit, accipient portionem. Praeterea si a paucioribus aliquis, quam a duabus partibus fuerit electus ad apostolatus officium, nisi major concordia intercesserit, nullatenus assumatur, et praedictae poenae subjaceat, si humiliter noluerit abstinere. Ex hoc tamen nullum canonicis constitutionibus et aliis Ecclesiis praejudicium generetur, in quibus majoris et senioris partis debet sententia praevalere: quia quod in eis dubium venerit, superioris poterit judicio diffiniri. In Romana vero Ecclesia aliquid speciale constituitur, quia non potest recursus ad superiore haberi. Cf. Mabillon comm. in ordinem Rom. p. cxv.

¹ *Chronicon Fossae novae* (written about 1217) in Muratori scriptt. rer. It. vii. 875. Guilelmi de Nangis (about 1301) *chronicon in d'Achery spicileg.* iii. 13.

² The documents of the treaty in *Corp. juris civ.*, corrected after manuscripts in Muratori antiqu. Ital. iv. 307, in Pertz, iv. 175. Comp. Voigt *Geschichte des Lombarden-Bundes*, s. 329 ff. Raumer, ii. 275.

Then he even negotiated the marriage of his son Henry with Constantia, heiress of Sicily (27th Jan. 1186),³ and seemed thereby to have deprived the Pope of his most trusty ally against the Empire. The Papacy set on foot a counteracting policy. Frederick had already fallen out with Lucius III., on the occasion of a disputed episcopal election at Treves (1183).⁴ But Urban III. opposed the Emperor in a yet more hostile manner.⁵ When Frederick won

³ W. Jäger, *Gesch. Kaiser Heinrichs VI.*, Nürnberg, 1793. 8. s. 16, ff. Raumer, ii. 310.

⁴ On this head most full and authentic are the *Gesta Trevirorum* edd. Wyttensbach et Muller, i. 272: at the election, maxima pars cleri in personam Rudolfi praepositi Majoris domus—consensit, afterward, however, Archideacon Volkmar raised a party. The cause was brought before the Emperor. A quo ad Constantiam civitatem evocati sunt, ubi judicio Principum sanctum fuit, quod Imperator per consilium Principum, si in electione discordarent, quam vellet idoneam personam subrogaret. At ipse optionem electionis iterum in praesentia sua cis concessit ita, si practeritae electionis discordiam deponere vellent. Ubi Folmarus interesse nolens, discussit. Alii vero, quamvis pauci, Rudolfum praeposatum iterum electum praesentaverunt, et ab Imperatore investitum ad propria reduxerunt. Volkmar betook himself to the Pope, and Frederick, when he met him at Verona, 1181, even allowed another scrutiny. Other matters were here brought under discussion, see Arnoldi (Abbot Lubeck about 1200) *chron. Slavorum* (at the end of Helmodus, whom he continued), iii. c. 10. The Emperor interceded for those, qui tempore Alexandri P. a Schismaticis ordines suscepserant. Then came the question, de patrimonio dominae Mechthildis, etc. They agreed upon no point.

⁵ The reason may be found in *Gesta Trevir.* p. 277. At the capture of Milan, some time before, Frederick had taken some relations and kinsmen of the Pope prisoners, quorum quosdam proscriptione damnavit, quosdam mutilatione membrorum deformare praecepit. Ob ejus itaque facti vindictam dicebant quidam, praedictum Apostolicum, antequam ad sedem Apostolatus descendisset, gravissimum rancorem servasse in corde suo contra Imperatorem, quod postea in proposito claruit, secundum eorum assertionem, quibus causa nota erat. Nam postquam ad summi pontificatus gloriam sublimatus fuerat, omnibus viribus laborabat, quomodo Imperatoris dignatatem et excellentiam humiliaret. See the Pope's complaints against the Emperor, in Arnoldi *chron.* iii. c. 16: Arguebat Imperatorem de patrimonio dominae Mechthildis,—quod ab ipso injuste occupatum dicebat. Affirmabat etiam quod Episcoporum exuvias injuste acciperet, quae dum ipsis mortuis de ecclesiis rapiantur, ecclesiae quasi corrosae et expoliatione ab Episcopis subintrantibus inveniuntur.—Tertium etiam contra eum proponebat articulum, quod Abbatissarum congregations plurimas in dispersionem dedisset, dum propter enormitatem ipsarum sub emendationis occasione, usurpati sibi stipendiis, personas quidem removisset, nec alias ad honorem Dei vel Ecclesiae augmentum sub meliore professione restituisset. To this time belongs Urbani P. epist. ad Frederic. Imp. (in Ludewig reliquiae manuscriptorum, ii. 409, and in Mansi xxii. 504), in which he endeavors to deny that he had supported the Cremonese, the Emperor's enemies; however, Wichman, in ep. ad Urbanum (in Ludewig, 446), convicts him of this, adding the bitter remark, sub specie dilectionis inimicitias palliari. During the negotiations Urban committed himself so far (see *Gesta Trevir.*), that he contra juramentum, quia in verbo Domini juraverat, et per venerabilem virum Monasteriensem Episcopum Hermannum Imperatori mandaverat, videlicet quod Folmari nunquam manus consecrationis imponeret, sicut idem Episcopus postea coram Principibus confessus est (so also Wichman, l. c.), electionem Folmari approbare festinavit. After a short show of investigation, electionem Folmari confirmavit, quem confirmatum consequenter in Archiepisc. Treverensem consecravit. Naturally enough Volkmar was not received: and Frederick (Arnoldus, iii. c. 17), considerans obstinatum erga se animum domini Papae clausit omnes vias Alpium et omnium circumquaque regionum, ut

the German clergy to his side,⁶ a fresh dissension between the Empire and Papal See was already impending,⁷ when Urban's death made room for a more peaceful successor, Gregory VIII.⁸

nemo pro quolibet negotio adire posset sedem apostolicam. King Henry showed himself at times quite cruel and tyrannical (Arnold. iii. c. 16. *Registrum Innocent. P. III. super negotio Rom. Imperii epist. 29.*)

⁶ They were bribed by the Papal demand, that the *jus spoliorum* should be abolished (about this see below, § 63; note 8): But Frederick declared (Arnold. iii. c. 17): In veritate compertum habemus, quod praedecessores nostri, antiqui Imperatores, hoc juris habuerunt, ut defunetis Episcopis investituram pontificalem sine alicujus praecudicio probatis personis liberrime locaverint. Sed quia hoc ipsorum voluntate mutatum invenimus, ratum habemus. Hanc vero minimam scintillam juris nostri, quam invenimus, nequam mutari permittimus. Sufficiat vobis justitia vestra, quam invenitis, quod permittitur vobis electio Episcoporum, quam vos canonice fieri dicitis. Sciat tamen, quia, dum pro voluntate Imperatoris ista dispensarentur, plures justi sunt inventi sacerdotes, quam hoc tempore, dum per electionem inthronizantur. Ipsi enim secundum vitae meritum sacerdotes investiebant, nunc autem per electionem non secundum Deum, sed secundum favorem eliguntur.—From Frederick's powerful address in the Diet at Gelnhausen (in Arnold. iii. c. 18), we learn still further demands of the Pope: Dicit dominus Papa, injustum esse, aliquam laicam personam decimas possidere.—Affirmat etiam injustum esse, quod aliquis in praediis seu hominibus Ecclesiarum advocatiam sibi usurpet, ut—res ecclesiasticas a Praelatis tantum libere dispensentur. Et quamvis haec pro Praelatis esse videantur, non tamen credo, quod ita facile mutari possint, quac ex longa antiquitate usus in consuetudinem vertit, etc. Here he requires the bishops to send a remonstrance to the Pope (the letter is in Radulphus a Diceto), see Arnoldus, iii. c. 18: Qui cum legisset epistolam, obstupuit de immutatione Episcoporum, quia ipse causam pro eis videbatur sumsisse, ipsi vero de causa cecidisse. He received also a private letter from Wichman, archbishop of Magdeburg, and his suffragans (Ludewig, ii. 445, not given in Mansi), which enumerates to him the Emperor's grievances, first the support of the Cremonese, then his conduct in the matter of Treves. Nam si secundum ordinationem vestram idem factum inconvulsum permanere deberet, videretur Imperium demembrationem et maximam sui juris diminutionem incurrisse, praesertim cum nulla antecessorum suorum (Imperatoris) ab aliquo antecessorum vestrorum factum fuisse antiquitatis curiosa reportet memoria, quod Episcoporum quispiam in regno Teutonico consecrationem prius, quam regalia per sceptrum imperiale, receperit.—Among the other grievances: Adjecte insuper (Imp.) quantis exactionum muneribus universae de imperio per vestros Ecclesiae subjaceant, videlicet ut tam Ecclesiae quam coenobia, quibus vel panis quotidianus non sufficit, in erogatione pecuniae, in pasto familiarium, in stabulatione equorum Romanae Ecclesiae super omnem possibilitatem suam deservire compellantur.—Unde et nos—Excellentiam Vestram obnixe rogantes—deprecamur, quatenus—ea, quae ad gravamen Imperii facta dinoscuntur, quoniam a nobis ea sustineri aut sub silentio praeteriri fidei nostrae sinceritati nullatenus conveniret, saniori vero expedit consilio permutari faciatis, etc.

⁷ Arnoldus, iii. c. 18: Nec minus tamen in proposito suo perstitit, et veniens Veronam, Imperatorem legitime citatum pro capitulis supra scriptis excommunicare decrevit. Ad quem accedentes Veronenses dixerunt: Pater, servi et amici domini Imperatoris sumus: rogamus Sanctitatem Vestram, ut eum in civitate nostra, nobis praesentibus, non excommunicetis, sed hanc sententiam respectu nostri servitii in praesenti differatis. Qui faciens juxta petitionem eorum, discessit: et cum in proximo eum excommunicare vellet, morte praeventus, sententiam distulit: sicque Imperator maledictionis jaculum evasit.

⁸ Compare Gregory's conciliatory letters to the Emperor Frederick and King Henry (in Ludewig reliqu. ii. 425, 427, and in Mansi xxi. 533, 534). Besides, he reprimanded Volkmar, who was launching the thunders of the Church from France into the provinces of Tréves (see *Gesta Trevir. l. c. p. 284*, and *Gregorii ep. ad Folmarum* in Ludewig, ii.

All disputes were more easily forgotten, when now the tidings of the conquest of Jerusalem by Saladin (3d October, 1187)⁹ rang like a knell, and awakened afresh in the Western World the slumbering enthusiasm for the sanctuaries.¹⁰

The Emperor Frederick (May, 1189) was the first to march thitherward, by way of Constantinople (Third Crusade);¹¹ but he was drowned in the Calycadnus, in Seleucia (June, 1190); and his son Frederick, duke of Swabia, together with the greatest part of his army, was swept away by the pestilence at the siege of Acre. In the next summer, 1190, the kings Richard Cœur de Lion of England and Philip Augustus of France began their crusade (Fourth Crusade).¹² Acre was indeed conquered (July, 1191), but the disunion of the kings hindered any greater results. Philip Augustus soon returned (August, 1191); Richard was quickly compelled, by the state of his kingdom, to follow him, after he had concluded a truce of three years with Saladin (Sept. 1192).

Meanwhile, Clement III. had brought Rome to submission (1188),¹³ and settled the dispute with the Emperor about the elec-

428, Mansi xxii. 511). In the last is the order: nos ex consueto sedis apostolicae moderatione providere volentes, ne in asperitate tua multorum a te facias animos alienos, et tandem ipsam etiam censuram ecclesiasticam, si servata non fuerit, contemptibilem reddas, literis tibi praesentibus inhibemus, ne ad excommunicationem vel depositionem personarum Trevirensis provinciae sine conscientia et licentia nostra procedas.

⁹ The history of the war of the Christians with Nureddin and Saladin, down to the conquest of Jerusalem, see in Wilken, iii. 2. Schlosser, iii. 1, 440. Raumer, ii. 319. [Barbaro, *Giornale dell' assedio di Constantinopoli*, 1453, edited, with notes, by E. Cornel. Vienna, 1856.]

¹⁰ Compare the songs of the Troubadour Pons de Capdueil given in the original by Raynouard (*choix des poésies originales des Troubadours*. Paris, 1816–1821, 6 tomes, gr. 8), iv. 87. In German by F. Diez, *Die Poesie der Troubadours* (Zwickau, 1826), s. 178 ff.; and his *Leben u. Werke der Troubadours* (Zwickau, 1829), s. 258. –

¹¹ *Principal Sources*: Tageno (Decanus Eccl. Patav., who accompanied the expedition), *descriptio expeditionis Asiaticae Friderici I. Imp. in Freherus-Struve*, i. 405. Friderici I. *expeditio Asiatica ab aquaevo auctore conscripta in Canisius-Basnage*, iii. 2, 497. Ansberti clerici Austriaci *historia de expeditione Frid. Imp. ed. Jos. Dobrowsky, Pragae*, 1827. 8. Schlosser, iii. 1, 472. Raumer, ii. 411. Wilken, iv.

¹² *Principal Sources*: Galfridi de vino Salvo (Vin sauf † after 1245) *itinerarium Richardi Angl. R. in terram sanctam* (in Bongars, i. 1150, more fully in Gale script. hist. Angl. ii. 247). Rigordi Gothi (Physician to King Philip Augustus) *Annales de rebus a Phil. Aug. gestis* (in du Chesne, v. 1. Bouquet, xvii. 1). Schlosser, iii. 1, 492. Raumer, ii. 451.

¹³ See the deed put forth by the S. P. Q. R. in Baronius 1188, no. 23. Murator. antiqu. Ital. iii. 785: —Ad praesens reddimus vobis Senatum et Urbem et monetam. —Reddimus omnia regalia, tam intra quam extra Urbem, quae tenemus, praeter pontem Luca-num. —Tam nos Senatores, quam alii Senatores, qui erunt per tempora singulis annis, jurabimus fidelitatem et pacem vobis et successoribus vestris, sicut consuetum est. —Dabitis singulis annis pro restauratione murorum hujus excellentissimae Urbis C. libras bonorum provenientium de Tusculano. —Infra dimidium annum omnes muros et carbo-

tion at Trêves (1189);¹⁴ but on the death of William II., king of Sicily (1st November, 1189), new clouds gathered against the Papacy.¹⁵ Clement III. forthwith enfeoffed Tancred, who was chosen by one party to be King. After his death (20th February, 1194) the kingdom fell without opposition into the hands of the Emperor Henry VI., who was as mentally gifted and powerful as he was self-interested and cruel. How dangerous he was to the Papal See, was quickly manifested by the detainment of Richard Coeur de Lion in prison,¹⁶ and by the line of policy which he pur-

naria civitatis et Roccae Tusculani et suburbiorum dabitis nobis ad diruendum, quos et quae numquam reficietis, nec refici facietis in vita vestra, retentis et salvis tam vobis quam successoribus vestris et Romanae Ecclesiae omnibus possessionibus, tenimentis et pertinentiis ejusdem Tusculani intus et extra, cum hominibus rebusque eorum. Quodsi hinc usque ad Kal. Januarii dictum Tusculanum ad manus nostras non venerit, tunc excommunicabitis Tusculanos, et per fidèles vestros de Campania et de Romania cogetis eos perficere de Tuceulo, quod dictum est supra, cum adjutorio nostro.—Tibur non recipietis ad detrimentum et damnum Urbis, sed si Tiburtinos impugnare voluerimus, non facietis nobis contrarium.—The oath of the senators of the city, in Cencii Ordo Romanus (written about this time, preserved in Mabillon *mus.* Ital. ii. 215). In this, with much besides, is the following: Papatum Romanum et regalia b. Petri, quae habes, ad retinendum et defendendum, quae vero non habes, ad recuperandum, et recuperata ad retinendum et defendendum, contra omnes homines adjutor ero secundum posse ac scire meum, etc.

¹⁴ *Gesta Trevir.* edd. Wytenbach et Muller, i. 287: A Legate arrived in Treves with a Papal brief, in qua continebatur, quod Papa—Archiepisc. Folmarum, tertio per Cardinales citatum, et tandem non venientem, ab administratione Treverensis Ecclesiae omnino deposuit, consecrationem tamen pontificalem non ademit;—omnes quos ille ligaverat absolvit, quos ille deposuerat in pristinum honorem restituit;—tandem Ecclesiae Treverensi in eodem scripto liberam electionem antistitem eligendi concessit. Thereupon John, the Emperor's chancellor, was appointed.

¹⁵ For what follows comp. Schlosser, III. i. 514. Raumer, iii. 8.

¹⁶ Jager's Geschichte Kaiser Heinrichs VI., s. 71, ff. Raumer, iii. 40. Richard was taken prisoner at Vienna, by Leopold, duke of Austria, on his way back from the crusade, 21st Dec., 1192, and handed over to the Emperor Henry. The Pope also was injured by this, comp. § 48, note 10, § 51, note 14. Thence the urgent letters of Eleanor, Richard's mother, to the Pope, see Petri Blaesensis (the King's vice-chancellor), epist. 144, 145, and 146, in Baronius ann. 1193, no. 2 ss. For instance, in the first: Videte statum, aut potius casum Regni, malitiam temporis, Tyranni saevitiam, qui de fornace avaritiae arma iniquitatis incessanter fabricat contra Regem, quem in sancta peregrinatione, in protectione Dei caeli, et tuitione Romanae Ecclesiae captum, et vinculis carceralibus coarctatum tenet, occiditque terrendo.—Si Ecclesia Romana complosis manibus ad tantas injurias Christi silet: exurgat Deus, et judicet causam nostram, respiciat in faciem christi sui! Ubi est zelus Eliae in Achab? zelus Joannis in Herodem? zelus Ambrosii in Valentem? zelus Alexandri III., qui—patrem istius Principis Fridericum plena auctoritate apostolicae sedis solemniter et terribiliter a fidelium communione praecedit? Porro Tyrannus apostolicas claves habet ludibrio, nec nisi verba reputat legem Dei. Sed tanto constantius deberetis arripare gladium Spiritus, quod est verbum Dei.—Illud vero publice contrastat Ecclesiam populisque murmur excitat, nec mediocriter militat in dispendium vestrae opinionis, quod in tanto discrimine, in tot lacrimis, in tot provinciarum supplicationibus, nec unum Nuncium ad Principes illos a vestro latere destinastis. Saepe pro causis mediocribus vestri Cardinales in magna potestate etiam ad partes barbaras legatione funguntur: in causa vero tam ardua, tam lamentabili, tam communi, nec unum adhuc

sued in Italy.¹⁷ His plans for the alteration of the constitution of the German Empire,¹⁸ and his designs upon the Greek Empire,¹⁹ raised still higher expectations; but suddenly the posture of affairs was changed, when Henry died (28th September, 1197), and left behind him a son Frederick, only three years of age; while Innocent III., one of the greatest of the Popes, mounted the Roman throne.

§ 54.

INNOCENT III. (8TH JAN. 1198–16TH JUL. 1216.)

SOURCES: *Epistolarum Innoc. III. libb. xix.* (one book for every year).—Libb. i. ii. v. x. –xvi. in *Epistolarum Innoc. III. libb. undecim ed. St. Baluzius.* Paris, 1682, T. ii. fol.—Libb. iii. v.–x. in *Diplomata, chartae, epistolae et alia documenta, ad res Francicas spectantia edd. Feudrix de Brequigny et la Porte de Theil.* Parties ii. T. i. et ii. Paris, 1791 fol.—Lib. iv. xvii.–xix. seem to have been lost. Besides these: *Registrum Innoc. III. super negotio Rom. Imperii in Baluz.* l. c. i. 687.

Gesta Innocentii III. (by an unknown contemporary ed. *Baluz.* l. c. i. 1. *Murator. rer. Ital. scriptt.* iii. i. 486. Better and more fully by *Brequigny et du Theil* l. c. i. 1).—*Richardi de S. Germano Notarii chronicon rerum per orbem gestarum ab anno 1189–1243* (in *Muratori l. c. vii.* 963).

F. Hurter's *Gesch. Papst Innocenz III. u. s. Zeitgenossen*, Hamburg, 4 Bde. 1834–42. [French transl. 1850. *Abbé Jorry, Histoire du Pape Innocent III.* Paris, 1853.—*Sugenheim, Der Kirchenstaat*, 1854. *Bohringer, Kirchengeschichte in Biog.* ii. II.]

Subdiaconum aut Acoluthum destinasti. Legatos enim hodie facit quaestus, non respectus Christi, non honor Ecclesiae, non regnorum pax, aut populi salus. Quis quaestus vobis aut proventus gloriiosior posset esse, quam in hac liberatione Regis summi Pontificis apicem, sive sacerdotium Aaron et Phinees exaltare? Sane non multum humiliasses sedis apostolicae dignitatem, si in propria persona ad tanti liberationem Principis in Germaniam descendisses, etc. The Pope, however, did not bestir himself until Richard, on recovering his freedom, complained to him about his ransom. Matth. Paris ann. 1195, p. 177: post trinam admonitionem, quam Dux (Austriæ) exaudire recusavit, surgens cum suis Cardinalibus, ipsum Ducem nominatim excommunicavit, et in genere omnes, qui in Regem et suos manus injecerant violentas. He did not then venture to mention the Emperor by name. (Against Baronius 1195 no. 5, and Raumer, iii. 55, comp. Schröckh, xxvi. 247.) Not till after his death was this excommunication applied to him, Gualvanei Flammea manip. florum c. 227 (in *Muratori scr. rer. It. xi.* 659, and Rogerus de Hoveden (rer. Anglic. scriptt. post Bedam. Francof. 1601, p. 773).

¹⁷ *Registrum Innocentii III. de negotio Imperii epist. 29;* Noluit Ecclesiac de regno Siciliae fidelitatem et hominium exhibere.—Publice proponi fecit edictum, ut nullus vel clericus vel laicus ad Ecclesiam Romanam accederet, nec ad eam aliquis appellaret. Narratio de canonisat s. Bernwardi c. 9 (in *Leibnitii scriptt. rer. Brunsv.* i. 474); in the year 1193, the Hildesheim ambassadors found in Milan, per totam Italiam Imperatoris edictum pendere, ut quicunque reperti fuissent, qui cujuslibet causae obtenuit Romanam adire praesumerent Ecclesiam, contumeliis affecti rebusque nudati, aut vineulis arctari deberent, aut ad propria redire compelli.—*Gesta Innoc. III. cap. 8:* Henricus Imp. occupaverat totum regnum Siciliae totumque patrimonium Ecclesiae usque ad portas Urbis, praeter solam Campaniam, in qua tamen plus timebatur ipse quam Papa.

¹⁸ Raumer, iii. 61. Hurter's *Innocent III.* i. 66.

¹⁹ Jager's *Henry VI.* s. 99 ff. Raumer, iii. 70.

The over-estimation of the Papal rank,¹ the subordination of the secular to the spiritual power, and the low estimation of the former compared with the latter,² were so deeply rooted from the time of Gregory VII., although some few men maintained juster views;³ and, on the other hand, the notion of the Emperor's uni-

¹ Gerholus (Provost in Reichersberg, † 1169) de corrupto Ecclesiae statu ad Eugen. III. Papam c. 67 (in Baluzii miscellan. lib. v. p. 129, in Gallandius, xiv. p. 566), congratulates himself that matters were come to such a point, ut stratoris quoque officium Pontifici Romano a Regibus et Imperatoribus exhibendum sit.—Haec nimurum spectacula, nunc Regibus partim ablatis, partim diminuto eorum regno humilitatis, et exaltato sacerdotio, delectant spectatorem benivolum, torquent invidum. Qui ut amplius crucietur, et plus oculus magis jocundetur, forsitan, sicut ante primum Christi adventum Regibus ablatis duces principati sunt usque ad ipsum, sic ante secundum ejus adventum, per lapidem sine manibus abscissum de monte aurea statua regnum tota contrita (Dan. ii. 34), in quantum regno divino invenitur contraria, succedit in saeculari dignitate minoris nominis potestas, diminutus Regnis magnis in Tetrarchias, aut minores etiam particulias, ne premere valeant Ecclesiæ vel ecclesiasticæ personas patrocinio magni Sacerdotis praesidii sedis apostolicæ coronati et super omnia Regna exaltati defensas, et privilegiis apostolici principatus communitas. More intelligibly, Otto Frising. chron. lib. vii. prolog. Non desunt tamen, qui dicant, Deum ad hoc Regnum imminui voluisse, ut Ecclesiæ exaltaret. Regni quippe viribus ac beneficentia Regum exaltatam et ditatam nemo ambigit Ecclesiæ: constatque non prius eam in tantum Regnum humiliare potuisse, quam ipso ob amorem sacerdotii eviscerato, ac viribus exhausto. Non ejus tantum, i. e. spirituali, sed suo proprio, materiali scilicet, gladio percussum destruetur: quod judicare vel discutere supra nostras vires est. Videntur tamen culpandi sacerdotes per omnia, qui Regnum suo gladio, quem ipsi ex Regum habent gratia, ferire conantur, etc. In illustration of the relationship between the secular and spiritual power, the two images were commonly used of the two lights (see Gregor. VII. ep. ad Guilelm. R. § 47, note 2, carried out by Innocent III., see below note 5), and of the two swords (according to Luc. xxii. 38: *Ecce gladii duo hic. At ille dixit eis: satis est.* So Bernard. de considerat. iv. c. 3: Uterque ergo Ecclesiæ, et spiritualis scilicet gladius et materialis; sed is quidem pro Ecclesia, ille vero et ab Ecclesia exerendus: ille sacerdotis, is militis manu, sed sane ad nutum sacerdotis, et jussum Imperatoris).

² See § 47, note 2. Joannis Sarisberiensis († 1182) Polycratius I. iv., c. 3: Gladium de manu Ecclesiæ accipit Princeps, cum ipsa tamen gladium sanguinis omnino non habeat. Habet tamen et istum, sed eo utitur per Principis manum, cui coerendorum corporum contulit potestatem, spiritualium sibi in Pontificibus auctoritate reservata. Est ergo Princeps sacerdotii quidem minister, et qui sacerorum officiorum illam partem exercet, quae sacerdotii manibus videtur indigna. Sacrarum namque legum omne officium religiosum et pium est, illud tamen inferius, quod in poenis criminum exercetur, et quandam carnifici repraesentare videtur imaginem.—Major est qui benedicit, quam qui benedicitur.—Porro de ratione juris, ejus est nolle, cuius est velle, et ejus est auferre, qui de jure conferre potest. Nonne Samuel in Saulem ex causa inobedientiae depositionis sententiam tulit, et ei in regni apicem humilem filium Isai subrogavit? viii. 18. Patet non in solis Principibus esse tyrannidem, sed omnes esse tyrannos, qui concessa desuper potestate in subditis abutuntur.—Semper tyranno lieuit adulari, lieuit cum decipere, et honestum fuit occidere, si tamen alter coerceri non poterat. Non enim de privatis tyrannis agitur, sed de his, qui rempublicam premunt. Nam privati legibus publicis, quae constringunt hominum vias, facile coercentur. In sacerdotem tamen, etsi tyrannum induat, propter reverentiam sacramenti gladium materialem exercere non licet, nisi forte, cum exauctoratus fuerit, in Ecclesiæ Dei cruentam manum extendat (cf. iii. 15).

³ Hugo Floriacensis (about 1120) tract. de regia potestate et sacerdotali dignitate (Ba-

versal monarchy,⁴ once more vindicated by the Roman jurists, particularly since the time of Frederick I., remained so entirely a mere theory of the schools, that such a Pope as Innocent III., favored by circumstances, could broach without concealment the idea, which was already sufficiently wide spread, of a Theocracy embracing the whole world, in which the Pope was to rule as the vicar of God,⁵ and in the disputes of princes, as well as all other difficult state causes, to decide as supreme judge.⁶

luzii miscell. iv. 9), against the mistake, *qui longe lateque diffunditur,—error inquam illorum, qui—ordinem a Deo dispositum evertunt.*—*Putant enim, quod terreni regni dispositio non a Deo, sed ab hominibus sit ordinata sive disposita.* Et ideo sacerdotalem dignitatem majestati regiae praferunt, cum ei subesse ordine, non dignitate, debeat. And cap. 1: *Scio quosdam nostris temporibus, qui Reges autamant non a Deo, sed ab his habuisse principium, qui Deum ignorantes, superbia, rapinis, perfidia, homicidiis, et postremo universis pacne sceleribus, mundi principe diabolo agitante supra pares homines dominari caca cupiditate et int̄narrabili affectaverunt prae sumptione vel temeritate.* (The words of Gregory VII., see above, § 47, note 2.) Quorum sententia quam sit frivola, liquet apostolico documento, qui ait: *Non est potestas nisi a Deo, etc.* (Rom. xiii. 1.)

⁴ According to Dig. lib. xiv. tit. 2. l. 9: *Ego quidem mundi dominus.* See above, § 52, note 11. Simonde de Sismondi hist. des républiques italiennes du moyen âge iv. 290. Raumer, v. 62. Compare the Glossa ordinaria (compiled by Accursius, doctor of law in Bologna about the year 1220) ad authentic. coll. i. tit. 6, praef. Ergo apparet, quod neque Papa in temporalibus, nec Imperator in spiritualibus se debeant immiscere. Non habet ergo Papa temporalem jurisdictionem in iis, quae sunt Imperii, quod Constantinus Imperator donavit b. Silvestro Papae? Videtur quod sic, licet immensa fuerit donatio;—praeterea quod vult Princeps, hoc est lex;—item sicut patrimonialia, ita imperialia donare potest, cum nulla sit differentia.—Econtra videtur quod non: quia tunc non esset Augustus dictus, ut in rubrica proocmii Institt. Item imperare non potuit pari, i. e. venienti post se.—Item ne turbetur opus Dei, si clerici intromittant se in temporalibus;—item ne unus duorum officium habeat.—Sed licet solutio facti ad nos non pertineat, solvimus, quod de jure non valuit talis collatio sive donatio:—quia auxit honorem Ecclesiae, quantum in eo fuit, Constantinus vel in aliis, non autem in jurisdictione: quia sic posset totum Imperium perire, ut dictum est. Also the representation by Godfrey of Viterbo, chaplain and notary to Conrad III., Frederick I., and Henry VI. († after 1192), of the later origin of the Papal power (see vol. i., part 2, § 117, note 33), agrees well with this tendency.

⁵ Innocentii III. lib. i. ep. 335: *Rom. Pontifex non puri hominis, sed veri Dei vicem gerit in terris.* Lib. i. ep. 326: *Non hominis puri, sed veri Dei vere vicarius appellatur.* Lib. ii. ep. 209, ad Patriarch. Const.; *Dominus Petro non solum universam Ecclesiam, sed totum reliquit saeculum gubernandum.*—Lib. xvi. ep. 131, ad Joannem Anglorum R. (from the original in Rymer's foedera, etc., Regum Angliae, aucta ab A. Clarke et E. Holbrooke I. i. 119): *Rex Regum et Dominus dominantium Jesus Christus—ita regnum et sacerdotium in Ecclesia stabilivit, ut sacerdotale sit regnum, et sacerdotium sit regale, sicut in epistola Petrus, et Moyses in lege testantur, unum praeficiens universis, quem suum in terris vicarium ordinavit; ut sicut ei flectitur omne genu caelestium, terrestrialium, et etiam infernorum, ita illi omnes obedient et intendant, ut sit unum ovile et unus pastor.* Hunc itaque Reges saeculi propter Deum adeo venerantur, ut non reputent se rite regnare, nisi studeant ei devote servire. On the pre-eminence of the sacerdotal over the royal rank, Registr. de negotio Imp. ep. 18. *Responsio Papae facta nunciis Philippi in consistorio:* e. g. *Principibus datur potestas in terris, sacerdotibus autem potestas tribuitur et in caelis: illis solummodo super corpora, istis etiam super animas.* Unde quanto dignior est anima corpore, tanto dignius est etiam sacerdotium, quam sit regnum. *Petro legitur*

In order to secure Sicily for her son, the Empress Constantia, pressed hard by parties, was obliged to accept the Papal invest-

vas ostensum quatuor initis submissum de caelo, in quo continebantur omnia animantia volatilia, quadrupedia et reptilia, munda pariter et immunda; et dictum est ei: *macta et manduca* (Act x. 13), *macta* vitia, et *manduca* virtutes; *macta* errorem, et *manduca* fidem; quasi eellas et destruas, aedifices et plantes. Quia singuli Proceres singulas habent provincias, et singuli Reges singula Regna; sed Petrus, sicut plenitudine, sic et latitudine, praecepsit universis, quia Vicarius est illius, cuius est terra et plenitudo ejus, orbis terrarum et universi, qui habitant in eo. Porro sicut sacerdotium dignitate praecepsit, sic et antiquitate praecepsit. Utrumque tam regnum quam sacerdotium institutum fuit in populo Dei; sed sacerdotium per ordinationem divinam, regnum autem per extorsionem humana, etc.—Lib. i. ep. 401. ad Acerbum: Sicut universitatis conditor Deus duo magna luminaria in firmamento caeli constituit, luminare majus, ut praecesset diei, et luminare minus, ut nocti praecesset; sic ad firmamentum universalis Ecclesiae, quae caeli nomine nuncupatur, duas magnas instituit dignitates, maiorem, quae, quasi diebus, animabus praecesset, et minorem, quae, quasi noctibus, praecesset corporibus: quae sunt pontificalis auctoritas, et regalis potestas. Porro sicut luna lumen suum a sole sortitur, quae re vera minor est illo quantitate simul et qualitate, situ pariter et effectu; sic regalis potestas ab auctoritate pontificali sua sortitur dignitatis splendorem, etc. In his epistle to the Emperor of Constantinople (in the Gestis Innoc. III. c. 63, and Decr. Greg. lib. i. tit. 33, c. 6), he sets aside the claim which the Emperor based upon 1 Peter, ii. 13, 14: *Subditi estote omni humanae creaturae propter Deum, sive Regi tamquam praecepsenti, sive ducibus tamquam ab eo missis ad vindictam malefactorum, laudem vero bonorum,* chiefly with this argument, that the apostle wrote this, subditis suis, with no reference to priests. Praeterea nosse debueras, quod fecit Deus duo magna luminaria in firmamento caeli;—i. e. duas instituit dignitates, quae sunt pontificalis auctoritas et regalis potestas. Sed illa, quae praeceps diebus, i. e. spiritualibus, major est; quae vero carnalibus, minor est, ut, quanta est inter solem et lunam, tanta inter Pontifices et Reges differentia cognoscatur. With this may be compared the commentators of the 13th century, who built on this theory. The gloss to the last passage is: Cum terra sit septies major luna, sol autem octies major terra: restat ergo, ut pontificatus dignitas quadragies septies sit major regali dignitate. Laurentius, however, thus adjusts this: Papam esse millies septingentes quadragies quater Imperatore et Regibus sublimiorem. Glossa ad decr. Greg. lib. i. tit. 7, c. 1: in hoc differt a Papatu Imperium, quia Imperator habet suam jurisdictionem a populo,—sed Romana Ecclesia voce Domini tantum praelata est. Glossa ad dist. xl. c. 6: pro quo peccato potest Imperator deponi? pro qualibet: unde deponitur, si est incorrigibilis, si est minus utilis, ut Causa xv. qu. 6, c. 3.

⁶ Thus before now, Gerholus de corrupto Eccl. statu in Baluz. miscell. lib. v. p. 117 (comp. above, note 1): Denique in omni militum vel civium guerra et discordia vel pars altera justa, et altera injusta, vel utraque invenitur injusta. Cujus rei veritatem patet facere debet sacerdotalis doctrina, sine cuius censura nulla bella sunt movenda. Sic ergo manifestata justitia pars justa sacerdotalibus tubis animanda, et etiam communione dominici corporis ante bellum et ad bellum roboranda est:—cui pars iniqua resistens, et pacto justae pacis acquiescere nolens, anathematizanda, et etiam negata sibi sepultura christiana humilianda est, etc. In like manner, Innocent III. expressed himself thus to the French prelates, in justification of his interference to promote peace between the kings of France and England (Decretal. Gregor. II., i. 13, with the rubrica: *Index ecclesiasticus potest per viam denunciationis evangelicac procedere contra quemlibet peccatorem*): Cum Dominus dicat in Evangelio: *si peccaverit in te frater tuus, vade et corripe eum inter te et ipsum solum.* — *Quod si non audierit, dic Ecclesiae: si autem Ecclesiam non audierit, sit tibi sicut ethnicus et publicanus* (Matth. xviii. 15–17): et Rex Angliae sit paratus sufficienter ostendere, quod Rex Francorum peccat in ipsum, et ipse circa eum in correptione processit secundum regulam evangelicam, et tandem, quia nullo modo profecit, dixit Ecclesiae: quomodo nos, qui sumus ad regimen universalis Ecclesiae superna dispositione

ment under new conditions prescribed by the Pontiff.⁷ After Constantia's death (27th November, 1198) Innocent ruled over all Sicily in the character of guardian.⁸ Still further, the disputed Imperial election, by which Germany was divided between Philip, duke of Swabia, and Otto, duke of Saxony, encouraged the Pope to a larger extension of his power. Immediately after his accession, Innocent had already taken the oath of fealty to the Imperial Praefectus urbis:⁹ now he dislodged the vassals of the Empire from the territory of Matilda,¹⁰ and established in Tuscany a civic league. After he had thus consolidated his power in Italy he commenced an energetic interference in German politics;¹¹ for he

vocati, mandatum divinum possumus non exaudire, ut non procedamus secundum formam ipsius, nisi forsitan ipse coram nobis vel legato nostro sufficientem in contrarium rationem ostendat? *Non enim intendimus judicare de feudo,—sed decernere de peccato, cuius ad nos pertinet sine dubitatione censura, quam in quenlibet exercere possumus et debemus.* In support of this he appeals to the words of the Emperor Valentinian, hist. tripart. vii. 8, and the Lex Constantini, part 1, § 9, note 12, which, however, he sets down to Theodosius, and then proceeds: Cum enim non humanae constitutioni, sed divinae legi potius imitamur; quia potestas nostra non est ex homine, sed ex Deo: *nullus, qui sit sanae mentis, ignorat, quin ad officium nostrum spectet, de quounque mortali peccato corripere quemlibet Christianum, et si correctionem contempserit, ipsum per distinctionem ecclesiasticam coercere.* Innoc. III. lib. v. ep. 128. (Decr. Greg. IV. xvii. 13): non solum in Ecclesiae patrimonio,—verum etiam in aliis regionibus, certis causis inspectis, temporalem jurisdictionem casualiter exercemus:—quia sicut in Deuteronomio (xvii. 8–12) continetur: *si difficile et ambiguum apud te judicium esse perspexeris,—surge et ascende ad locum, quem elegerit Dominus Deus tuus, veniensque ad sacerdotes levitici generis, et ad judicem qui furcit illo tempore,—qui indicabunt tibi judicium veritatem: et facies, quaecumque dixerint:—qui autem superbierit, nolens obediere sacerdotis imperio,—morietur.* Sane cum Deuteronomium secunda lex interpretetur, ex vi vocabuli comprobatur, ut, quod ibi decernitur, in novo testamento debeat observari. Locum enim, quem elegit Dominus, apostolica sedes esse cognoscitur.—Sunt autem sacerdotes levitici generis fratres nostri:—is vero super eos sacerdos sive judex existit, cui Dominus inquit in Petro: *quodcunque ligaveris super terram, etc., ejus vicarius, qui est sacerdos in aeternum secundum ordinem Melchisedech.*—Tria quippe distinguit judicia:—in quibus cum aliquid fuerit difficile vel ambiguum, ad judicium est sedis apostolicac recurrentum, cuius sententiam qui superbierit contempserit observare, mori praecipitur, i. e. per excommunicationis sententiam, velut mortuus, a communione fidelium separari.

⁷ Constantia was forced to give up the privilegium concessionis, indultum primo ab Adriano, et renovatum postmodum a Clemente, super iv. capitulis, videlicet electionibus, legationibus, appellationibus et Conciliis (Gesta Innoc. III. c. 21), and besides to promise an annual census DC squifatorum de Apulia et Calabria, CCCC vero de Marsia, vel aequivalens in auro vel argento (Innoc. lib. i. ep. 410, ad Constantiam).

⁸ Planck, iv. 1, 452. Schlosser, III. ii. 1, 1. Raumer, iii. 85. Hurter, i. 133, 233, 324.

⁹ Gesta, c. 8. For the oath see Innoc. lib. i. ep. 577. Hurter, i. 115.

¹⁰ Hurter, i. 119, 226. Thus, as he took possession of the March of Ancona, the Duke-dom of Spoleto, the Earldom of Agrisi, the Marquisates of Tuscany, Radicofana, Aquapendente, Montefiascone, and the rest, he became the founder of the present States of the Church. Up to his time the Popes had only held the grant of Pepin, and the small patri-mony of St. Peter in the environs of Rome. [Cf. Sugenheim, der Kirchenstaat, 8. 1854.]

¹¹ Schlosser, iii. 1. 533. Raumer, iii. 102. Hurter, i. 136, 250, 334, 383, 435, 495, 584, 681; ii. 2, 46, 89.

forthwith claimed the right to decide on a disputed Imperial election.¹² As he must naturally have been more inclined to the Guelph than the Hohenstaufen candidate,¹³ so, maintaining his pretensions, he actually decided (1201) in favor of Otto IV.¹⁴ However, he was resisted with great energy by Philip's party,¹⁵

¹² As to the letters which reached him from both parties (*regist. super negot. imp. ep. 3 ss.*), he declared (*ib. ep. 18, Responsio dom. Papae facta nunciis Philippi in Consistorio*): *Verum ad apostolicam sedem jampridem fuerat recurrendum, ad quam negotium istud principaliter et finaliter dinoscitur pertinere: principaliter, quia ipsa transtulit imperium ab oriente in occidentem; finaliter, quia ipsa concedit coronam imperii.*

¹³ Compare the remarkable *deliberatio dom. Papae Innoc. super facto Imperii de tribus electis* (*Registr. Imp. ep. 29*): probably this was the instruction for the Legates appointed to Germany. Against Philip it is especially alleged, that he was a persecutor, and born of a race of persecutors. Therefore, personam Philippi propter impedimenta patentia penitus reprobamus, et obsistendum ei dicimus, ne imperium valeat usurpare. *De cætero vero agendum per Legatum nostrum apud Principes, ut vel convenienter in personam idoneam, vel se judicio aut arbitrio nostro committant.*

¹⁴ *Registr. Imp. ep. 33*.—personam Philippi, tanquam indignam quoad Imperium, praesertim hoc tempore, obtinendum, penitus reprobamus, et juramenta, quae ratione regni sunt ei praestita, decernimus non servanda. — *Cum autem carissimus in Christo filius noster Otto vir sit industrius, providus et discretus, fortis et constans, et per se devotus existat Ecclesiae, ac descendat ex utraque parte de genere devotorum, — nos auctoritate b. Petri et nostra eum in Regem recepimus, et regalem ei praecepimus honorificentiam exhiberi, ipsumque ad coronam Imperii, sicut decet, vocare curabimus, etc.* . Thereupon Otto took the oath in Neuss on the 8th of June, 1201. (*Registr. Imp. ep. 77*) :—*juro, quod omnes possessiones, honores et jura Romanae Ecclesiae pro posse meo bona fide protegam et servabo. Possessiones autem, quas Ecclesia Rom. recuperavit, liberas et quietas sibi dimittam, et ipsam ad eas retinendas bona fide juvabo: quas autem nondum recuperavit, adjutor ero ad recuperandum.—Ad has pertinet tota terra, quae est a Radicofano usque Ceperanum, exarchatus Ravennae, Pentapolis, Marchia, ducatus Spoletanus, terra comitissae Mathildis, comitatus Brittenorii (of Count Bertinoro, see Hurter, i. 122 s.) cum aliis adjacentibus terris expressis in multis privilegiis Imperatorum a tempore Lodoici.—Adjutor etiam ero ad retinendum et defendendum Ecclesiae Romanæ regnum Siciliae. Tibi etiam Domino meo Innocentio P. et successoribus tuis omnem obedientiam et honorificentiam exhibebo, quam devoti et catholici Imperatores consueverunt sedi apostolicae exhibere.—Similiter etiam consilio tuo et mandato parebo de pace vel concordia facienda inter me et Philippum Regem Francorum.*

¹⁵ *Literae Principum faventium parti Philippi* (in *Registr. Imp. ep. 61*): They arraign the Papal Legate as though he had taken this step arbitrarily. *Quis enim huic similem audivit audaciam? — Ubinam legistis, o summi Pontifices, ubinam audistis, sancti Patres, totius Ecclesiae Cardinales, antecessores vestros vel eorum missos Romanorum Regum se electionibus immiscuisse, sic ut vel electorum personam gererent, vel ut cognitores electionis vires trutinarent?* Respondendi instantiam vos credimus non habere. In Romanorum enim electione Pontificum hoc erat imperiali diademati reservatum, ut eam Romanorum Imperatorum auctoritate non accommodata ullatenus fieri non liceret. Imperialis vero munificentia, quae cultum Dei semper ampliare studuit, et ejus Ecclesiam privilegiorum specialitate decorare curavit, hunc honoris titulum Dei Ecclesiae reverenter remisit, quod constitutio primi Henrici evidenter explanat (compare above, part I, § 22, note 31) cuius series haec est: *ut nullus missorum nostrorum cujuscunque expeditionis argumentum in electione Romani Pontificis componere audeat, omnino prohibemus.* Si laicalis simplicitas bonum, quod de jure habuit, reverenter contempsit, sanctitas pontificalis ad bonum, quod nunquam habuit, quomodo manum ponit? At the end is the announcement that Philip had been elected by them, and the demand: *Unde petimus, ut veniente tem-*

and the flame of discord only burned so much the brighter in Germany. As Philip continued to gain more decisive advantages over his enemy, Innocent began negotiations with him, which seemed fraught with danger to Otto.¹⁶ Meanwhile, Philip was murdered by Otto of Wittelsbach in Bamberg (21st June, 1208). Otto IV. was then universally recognized as Emperor, and after he had satisfied the Pope's demands in all points he was crowned by him (27th September, 1209).¹⁷

pore et loco, sicut vestri officii est, unctionis ipsi beneficium non negetis. Innocent's answer ad ducem Zaringiae (*ibid. ep. 62*): Illis Principibus jus et potestatem eligendi Regem, in Imperatorem postmodum promovendum, recognoscimus, ut debemus,—praesertim cum ad eos jus et potestas hujusmodi ab apostolica sede pervenerit, quae Romanum Imperium in persona magnifici Karoli a Graecis transtulit in Germanos. Sed et Principes recognoscere debent, et utique recognoscunt, quod jus et auctoritas examinandi personam electam in Regem et promovendam in Imperium ad nos spectat, qui eam inungimus, consecramus et coronamus. Est enim regulariter et generaliter observatum, ut ad eum examinatio personae pertineat, ad quem impositio manus spectat. Numquid enim, si principes — sacrilegum quemcunque vel excommunicatum in Regem, tyrannum vel fatuum, haereticum eligerent aut paganum, nos inungere, consecrare ac coronare hominem hujusmodi deberemus? Absit omnino. Objectioni ergo Principum respondentes asserimus, quod Legatus noster Episcopus Praenestinus nec electoris gessit personam,—nec cognitoris personam exhibuit,—et sic jus Principum nullatenus usurpavit, aut venit contra illud. Exercuit autem denunciatoris officium; quia personam Ducis ejusdem denunciavit indignam, et personam Regis ipsius denunciavit idoneam, quoad imperium obtainendum, etc.

¹⁶ Philip had conducted these negotiations by means of Martinus Prior Camaldulensis, through whom he caused the following promises to be made to the Pope (Raynaldus 1203, no. 28): *Omnia bona tam Romanae Ecclesiae, quam aliarum Ecclesiarum, quae antecessores mei Reges et Imperatores injuste abstulerunt vel detinuerunt, vel ego abstuli, vel injuste detineo, restituum;* — *omnes abusus, quos antecessores mei in Ecclesiis habuerunt, utputa mortuis Praeclatis bona ipsorum vel Ecclesiarum corum accipiebant, perpetuo relinquam;* — *electiones Episcoporum, et aliorum Praelatorum canonice fieri permittemus,* — *omnia spiritualia summo Pontifici relinquentes:* monasteria irregulariter viventia — cum adjutorio domini Apostolici regularibus conventibus — subjiciemus. — *Advocatos sive patronos Ecclesiarum ab exactionibus, angariis, parangariis, in quantum potero, cessare compellam.* Si omnipotens Dominus Regnum Graecorum mihi vel leviro meo (the Prince Alexius) subdiderit, Ecclesiam Constantinopolitanam Romanae Ecclesiae — faciam force subjectam. — Generalem legem statuam, et observari faciam semper et ubique per totum Imperium, ut quicunque excommunicatus fuerit a domino Apostolico, in banno statim sit imperiali: *insuper pro pace et amicitia inter me et dominum Apostolicum semper servanda — filiam meam nepoti ejus in conjugium dabo, et alios vel alias de cognatione mea secundum voluntatem suam generi suo copulari faciam.* There is another letter from Philip, *Registr. Imp. ep. 136, comp. chron. Urspergense ed. Argentorat. 1609, p. 236.* So Papal delegates appeared in Germany in the year 1207, who absolved Philip from his excommunication (*Registr. Imp. ep. 142*), and then began to mediate between the two kings, but openly in favor of Philip, cf. *Otto de S. Blasio, c. 48: Ottoni a Philippo per Cardinales offertur, ut accepta in uxorem filia ejus cum ducatu Allemanniae aliorumque praeditorum suorum redditibus, regio nomine deposito, ipsi de caetero ut Regi pareret, Philippo exhinc sine controversia regnante.* Ad haec Otto, quamvis jam desperans, indigne ferens aliqua sibi pro regno offerri, se regnum non nisi cum morte depositurum protestatus, Philippo, ut sibi cederet, multo majora obtulit.

¹⁷ Raumer, iii. 139. Schlosser, III. ii. 1, 351. Hurter, ii. 105, 158. Otto had been

But so soon as Otto had reached this goal of his wishes, he began again to vindicate the Imperial rights in Italy, and overthrow the Pope's new creations,¹⁸ without suffering himself to be turned from his path by the sentence of excommunication and dethronement which the deluded Innocent pronounced against him (November, 1210).¹⁹ Now he himself encouraged the canvass of the

obliged already to take a new oath to the Pope in Speyer on 22d March, 1209 (*Registr. Imp. ep. 189*), in which fresh engagements were added to the old (See n. 14): *Illum igitur abolere volentes abusum, quem interdum quidam praedecessorum nostrorum exercuisse dicuntur in electionibus Praelatorum, concedimus et sancimus, ut electiones Praelatorum libere ac canonice fiant, quatenus ille praeficiatur Ecclesiae viduatae, quem totum capitulum vel major et sanior pars ipsius duxerit eligendum, dummodo nihil ei obstet de canonicis institutis.* Appellationes autem in negotiis et causis ecclesiasticis ad apostolicam sedem libere fiant, earumque prosecutionem sive processum nullus impedire praesumat. *Illum quoque dimittimus et refutamus abusum, quem in occupandis bonis decedentium Praelatorum aut etiam Ecclesiarum vacantium nostri consueverunt antecessores committere pro motu propriae voluntatis.* Omnia vero spiritualia vobis et aliis Ecclesiarum Praelatis relinquimus libere disponenda, ut quae sunt Caesaris Caesari, et quae sunt Dei Deo recta distributione reddantur. Super eradicando autem haereticæ pravitatis errore auxilium dabimus et operam efficacem. The document is to be found in Schlosser, in the above place; p. 355, note g. is the oath of the year 1201 (note 14).

¹⁸ Hurter, ii. 324, 365. Matth. Paris ad ann. 1210: *Circa dies istos Otho Romanorum Imperator, memor sacramenti, quod fecerat, cum a Papa ad Imperium fuerat sublimatus, quod videlicet dignitates Imperii conservaret, et jura dispersa pro possibiliitate sua revocaret: fecit per sacramentum legalium hominum Imperii dominica castella sua, et alia jura ad dignitatem imperiale spectantia perquiri, et quaecunque per recognitionem ad jus Imperii spectare didicerat, in usus suos convertere laborabat.* Otto thus answered the Pope's remonstrance: *Si summus Pontifex Imperii jura injuste possidere desiderat, a sacramento, quod tempore consecrationis meae ad dignitatem imperiale me jurare compulit, absolutat: quod videlicet dispersa Imperii jura revocarem.* Compare especially the two letters contributed by Gebauer from a codex Rehdiger. (*Leben Herrn Richards, erwählten Rom. Kaisers.* Leipzig, 1744, p. 611 ss.) The first from Innocent to Otto thus complains: *Turbamur non modicum et dolemus, te subito cōversum in arcum perversum, quem fore sedis apostolicae magnificum protectorem, quandam firmissime credebamus, and threatens him with the fate of Nebuchadnezzar, Pharaoh, and the Hohenstaufen family, first of all with excommunication.* Otto answered this (see also in Hahn, *collectio monumentorum veterum.* Bruns. 1724, i. 209): *Nam spiritualia, quae ad vestrum pertinere officium dinoscuntur, vobis non auferimus, nec habemus propositum auferendi, immo volumus, quod ubicumque maneant illibata, et semper imperiali auctoritate suspiciant incrementum.* In temporalibus vero plenam, ut scitis, habemus potestatem, de quibus vobis non convenit judicare, quoniam his, a quibus Ecclesiae sacramenta tractantur, judicium sanguinis agitare non licet. *Habeatis igitur in spiritualibus libere plenitudinem potestatis, firmiter attentes, quod temporalia, tamquam Imperator, per totum Imperium intendimus judicare.* Compare also the letter of complaint from the Pope to Philip Augustus (ed. de la Porte du Theil in the *Notices et extraits des MSS. de la biblioth. du Roi* ii. 292) dat. Kal. Februar. anno Pontificatus nostri xiii. (Consequently, in 1. Feb. 1210, not 1211, as is there stated): *Utinam, fili carissime, mores Othonis, qui dicitur Imperator, et a nobis noti fuissent, sicut a vobis noti fuerant! quod non essemus ab eo tam impie circumventi, etc.* For the grievances of the Pope, see note 19.

¹⁹ On this head *Innocentii ep. ad universos Principes Alemanniae* (in the *Notices l. c. p. 284*): *post diligentes ammonitiones et dilatones frequentes, excommunicavimus et anathematizavimus ipsum, ex parte omnipotentis Patris, et Filii, et Spiritus sancti, auc-*

only surviving Hohenstaufen. Frederick appeared in Germany in 1212, and, upheld as he was by the Pope and the King of France, he quickly won most of all ranks to his side. On the 25th July, 1215, he received the German royal crown at Aix-la-chapelle,²⁰ and Otto down to his death († 1218) had to content himself with his ancestral territories in Brunswick.

With like energy Innocent compelled all other princes also, so far as his arm reached, to recognize the Papal supremacy.²¹ Philip Augustus, king of France, was obliged (1201) to take again his divorced wife, Ingeburgis;²² Alphonso IX., king of Leon, to divorce his wife because of being too near akin; Peter, king of Aragon, when he got himself crowned at Rome, made his kingdom tributary to the Pope (1204);²³ John, duke of Bulgaria,

toritate quorum [*leg. quoque beatorum*] Petri ac Pauli Apostolorum et Nostra, pro eo, quod beneficiorum nostrorum ingratus, et promissionum suarum oblitus, maligne perse-
quitor praefatum Regem Siciliae, orphanum et pupillum, apostolicae protectioni relictum, nequiter invadendo regnum ipsius, et Romanae Ecclesiae patrimonium, contra sacra-
menta et scripta sua, et contra jura et monumenta nostra, cum semper parati fuerimus, et
sacepe obtulerimus ei, justitiae plenitudinem exhibere coram arbitris communiter eligen-
dis. Unde, cum juxta ss. Patrum canonicas sanctiones ei, qui Dei [*leg. Deo*] et Ecclesiae fidem non servat, fides servanda non sit, a communione fidelium separato; nos ab
ipsius fidelitate absolvimus universos, vel potius decrevimus absolutos, etc. And now
follow the spiteful insinuations: Caeterum quales et quantos vos habeat, ex eo potestis
perpendere manifeste, quod vestro irrequisito consilio tam gravem et arduam videlicet
persecutionem adversus Romanam Ecclesiam et Regnum Siciliae, suae tantum voluntatis arbitrio, incepit. In qua profecto si possit proficere, et suum propositum adimplere,
ad eam vos conditionem rediget, ad quam avus et avunculus ejus Barones Angliae rede-
gerunt. In qua cum nutritus fuerit a patruo, consuetudines ejus pro viribus ejus in Imperium subducere attentabit.

²⁰ Raumer, iii. 171. Schlosser, III. ii. 1, 359. Hurter, ii. 374, 406, 471. Frederick made the same promises to the Pope in Eger 28. Jun. 1213, which Otto had before been obliged to make (notes 14 and 17): see the document quoted from the original in Pertz, iv. 224. There is another deed made at Strasburg 1st July, 1216 (in Pertz, iv. 228): Promittimus,—ut postquam fuerimus Imperii coronam adepti, protinus filium Henricum—emancipemus a patria potestate, ipsumque Regnum Siciliae—penitus relinquamus ab Ecclesia Romana tenendum, sicut nos illud ab ipsa sola tenemus; ita quod ex tunc nec habebimus nec nominabimus nos Regem Siciliae;—ne forte pro eo, quod nos dignatione divina sumus ad imperii fastigium evocati, aliquid unionis Regnum ad Imperium quovis tempore putaretur habere, etc.

²¹ Raumer, iii. 250.

²² Sources: Innocent, lib. iii. ep. 11–18. Rigordus de gestis Phil. Aug. in Duchesne v. 36. Rogerus de Hoveden ad ann. 1201. Works: D. Blondellus de formulae Regnante Christo in vett. monum. usu, p. 320. Philipp August K. v. Frankr. u. Ingeborg Prinzessin v. Danemark, by J. Schulz, Kiel, 1804. 8. Histoire de Philippe-Auguste par M. Capéfigue, ii. 144, 191. Hurter, i. 166, 346, 402; ii. 477.

²³ In order to make his crown independent of his powerful vassals and of the claims of the King of Castile for supremacy. E. A. Schmidt's Gesch. Aragoniens im Mittelalter s. 132. Hurter, i. 598. Aschbach's Gesch. Spaniens u. Portugals zur Zeit der Almora-viden u. Almohaden, ii. 136, 329.

asked of him the kingly crown. But John, king of England, who by cowardice and capriciousness had long ago made himself contemptible and odious to his subjects, was forced to humble himself to the lowest pitch of degradation before him.²⁴

A disputed election furnished Innocent with an opportunity of thrusting forward the Cardinal Stephen Langton into the Arch-bishopric of Canterbury against the King's will (1207). When John resisted with anger, the Pope laid England under an interdict (1208); and afterward excommunicated the King (1209), who sought by reckless cruelty to avenge himself on the clergy, and by severe oppression to make sure of his vassals. At last Innocent deposed him from his kingdom, and handed it over to the King of France (1212).²⁵ But while he was arming himself for the conquest, John, unable to trust his vassals, yielded in all points, and even received his kingdom in fee from the Pope (1213) under circumstances of the greatest humiliation.²⁶ Now was England

²⁴ In the following history the principal source is Matthaei Paris historia major ad ann. 1205 ss. ed. Lond. 1640, p. 212 ss. The Documents in Rymeri Foedera et acta publica Regum Angliae, aucta et emendata ab A. Clarke et F. Holbrooke, I. i. Comp. Planck, IV. i. 486. Schlosser, III. ii. ii. 241. Hurter, ii, 54, 123, 191.

²⁵ Mathew Paris, p. 232: Papa—sententialiter definivit, ut Rex Anglorum Johannes a solio Regni deponeretur, et alius Papa procurante succederet, qui dignior haberetur. Ad hujus quoque sententiae executionem scripsit dominus Papa potentissimo Regi Francorum Philippo, quatenus [in] remissionem omnium suorum peccaminum hunc laborem assumeret, et Rege Anglorum a solio Regni expulso ipse et successores sui Regnum Angliae jure perpetuo possiderent. Scripsit insuper omnibus magnatibus, militibus, aliisque bellatoribus per diversas nationes constitutis, ut ad Regis Anglorum dejectionem sese cruce signarent, Regemque Francorum in hac expeditione ducem sequentes, vindicare injuriam universalis Ecclesiae laborarent. Statuit praeterea, ut quicunque ad expugnandum Regem illum contumacem opus impenderint vel auxilium, sicut illi qui sepulchrum Domini visitant, tam in rebus quam in personis et animarum suffragiis in pace Ecclesiae securi permaneant. Hurter, ii. 429, 479.

²⁶ The document of King John, together with the oath of fealty, 15th May, 1213, are in Rymer ed. Clarke et Holbrooke, i. 1, 111: both were reissued on the third of October in this year, *ibid.* p. 115. Johannes Dei gratia Rex Angliae; etc.—omnibus Christi fidelibus—salutem. Universitati vestrae per hanc chartam nostram sigillo nostro munitam volumus esse notum, quia, cum Deuni et matrem nostram s. Ecclesiam offendierimus in multis, et proinde divina misericordia plurimum indigere noscamur, nec quid digne offerre possimus, pro satisfactione Deo et Ecclesiae debita facienda, nisi nos ipsos et Regna nostra humiliemus: volentes nos ipsos humiliare pro illo, qui se pro nobis humiliavit usque ad mortem, gratia s. Spiritus inspirante, non vi inducti nec timore coacti, sed nostra bona spontaneaque voluntate, ac communi consilio Baronum nostrorum, offerimus et libere concedimus Deo, et ss. Apostolis ejus Petro et Paulo, et s. Romanae Ecclesiac matri nostrae, ac domino nostro Papae Innocentio ejusque catholicis successoribus totum Regnum Angliae et totum Regnum Hiberniae cum omni jure et pertinentiis suis, pro remissione peccatorum nostrorum et totius generis nostri, tam pro vivis quam defunctis: et amodo illa a Deo et Ecclesia Romana tanquam feodatarius recipientes et tenentes, in praesenti prudentis viri Pandulphi, domini Papae Subdiaconi et familiaris, fidelitatem

yielded up to the caprice of an arbitrary Pope and a contemptible King: this united the prelates²⁷ and the barons to wrest Magna Charta from the King (15th June, 1215).²⁸ In vain strove the Pope with spiritual,²⁹ and the King with temporal weapons, to effect its

exinde praedicto domino nostro Papae Innocentio, ejusque catholicis successoribus, et Ecclesiae Romanae secundum subscriptam formam facimus et juramus, et homagium ligum in praesentia dom. Papae, si coram eo esse poterimus, eidem faciemus; successores et haeredes nostros de uxore nostra in perpetuum obligantes, ut simili modo summo Pontifici, qui pro tempore fuerit, et Ecclesiae Romanae, sine contradictione debeant fidelitatem praestare et homagium recognoscere. Ad indicium autem hujus perpetuac nostrae obligationis et concessionis volumus et stabilimus, ut de propriis et specialibus redditibus praedictorum Regnorum nostrorum, pro omni servitio et consuetudine, quod pro ipsis facere deberemus, salvo per omnia denario b. Petri, Ecclesia Romana mille marcas sterlingorum percipiat annuatim, etc.

²⁷ The Pope charged his Legate in England, dd. 1st Nov. 1213, Nicholas, bishop of Tuscum (Innoc. libb. xvi. ep. 138, and in Matthaeus Paris, p. 247), quatenus Episcopatus et Abbatias Angliae nunc vacantes facias cum tuo consilio de personis idoneis per electionem vel postulationem canonican ordinari. It was to be proposed to the chapters, ut tuo consilio adquiescant.—Si qui vero contradictores fuerint vel rebellcs, tu eos per censuram ecclesiasticam, appellatione remota, compescas. Thereupon Matthew Paris relates l. c. Legatus—factus de rege tyrannus, spreto Archiepiscopi et Episcoporum Regni consilio cum clericis Regis et ministris ad vacantes accedens Ecclesias, ordinationes earum, secundum antiquum Angliae abusum, de personis minus idoneis celebrare praesumxit.—Parochiales insuper Ecclesias in locis diversis vacantes clericis suis distribuit, patronorum consensu minime requisito. The English prelates appealed to the Pope, but they effected nothing. Meantime the King was forced to promise on the 15th Jan. 1215, in another document in Rymer-Clarke, I. i. 126, ut de caetero in universis et singulis Ecclesiis et Monasteriis—totius Regni nostri Angliae liberae sint in perpetuum electiones quorumcunque Praelatorum majorum et minorum, salva nobis et haeredibus nostris custodia Ecclesiarum et Monasteriorum vacantium, quae ad nos pertinent. The churches were to appoint without hinderance, petita tamen prius a nobis et haeredibus nostris licentia eligendi, quam non denegabimus nec differemus. The Papal confirmation of this deed is dated 30. Mart. 1215. Ibid. p. 127.

²⁸ Stephen Langton gave the first impulse to this by publishing a document of Henry I. (Aug. 1213), see Matt. Paris, p. 240. A fac-simile of Magna Charta is to be found in Rymer-Clarke, I. i. 131. Hurter, II. 498, 601.

²⁹ So early as the 15th Aug. 1215, Innocent published a Bull (Rymer-Clarke, p. 135): *nos, tantae malignitatis audaciam dissimulare nolentes, in apostolicae sedis contemnum, regalis juris dispendium, Anglicanae gentis opprobrium, et grave periculum totius negotii Crucifixi (quod utique imminaret, nisi per auctoritatem nostram revocarentur omnia, quae a tanto Principe cruce signato taliter sunt extorta, etiam ipso volente illa servari): ex parte Dei omnipotentis, Patris, et Filii, et Spiritus sancti, auctoritate quoque beatorum Petri et Pauli Apostolorum ejus, ac nostra, de communi fratrum nostrorum consilio, compositionem hujusmodi reprobamus penitus et damnamus; sub interminatione anathematis prohibentes, ne dictus Rex eam observare praesumat, aut Barones cum complicibus suis ipsam exigant observari: tam chartam quam obligationes seu cautiones, quaecunque pro ipsa vel de ipsa sunt factae, irritantes penitus aut cassantes, ut nullo unquam tempore aliquam habeant firmitatem.* Innocent's epistle to the Barons of England bearing the same date (l. c. p. 136) is written in the same spirit. When this remained unnoticed, forthwith the sentence of excommunication and interdict against the barons followed (Matth. Paris, p. 270), with instructions to the bishops, quatenus nostram sententiam singulis diebus dominicis et festivis, pulsatis campanis, et candelis accensis, solemniter per totam Angliam publicare procurent, donec satisfecerint (Barones) domino Regi de dam-

repeal: John's death, however († 28th October, 1216), quickly put an end to internal discord.³⁰

Still greater prospects seemed to open themselves before the Pope in Constantinople.³¹ Although the enthusiasm for Crusades was already much diminished, nevertheless Innocent had succeeded, by unwearyed efforts, in collecting a new army at Venice (1202). The crafty Doge, Henry Dandolo, notwithstanding all Papal admonitions, had first made use of the army for the reconquest of Jadera (Zara); then it was induced, by the magnificent promises of a Greek Prince, Alexius,³² to undertake an expedition against Constantinople: and when the reinstated Emperor, Isaac Angelus, was unable to fulfill these promises, Constantinople was conquered (12th April, 1204), and a Latin empire established there, by the exaltation of Baldwin, count of Flanders, to the throne.³³

nis et injuriis irrogatis, et ad ejus obsequium fideliter revertantur. Stephen Langton once so obedient, postulavit inducias—ad sententiam publicandam, constanter affirmans, quod tacita veritate sententia fuerat in Barones lata.

³⁰ Yet one word about the Papal system of extortion. The chapter of York chose Simon Langton, Stephen's brother, to be archbishop, the Pope refused to sanction the choice (Mat. Paris, p. 271), Deputies from the chapter had to make another election during the Lateran council at Rome in the year 1215, and the newly-elected prelate (l. c. p. 274), accepto pallio—redit in Angliam, obligatus in Curia Romana de decem millibus librarum legalium esterlingorum. In fine autem, soluto Concilio, extorsit Papa de unoquoque Praelato infinitam pecuniam, quam cum viaticis cogebantur ab usurariis suis mutuo duris conditionibus sumere. To this also must be added the avarice of Legates (l. c. p. 286): Walo legatus exigit (ann. 1216) procurations per totam Angliam ab Ecclesiis cathedralibus, et domibus religiosis, pro singulis scilicet procurementibus L solidos. Omnia etiam beneficia Clericorum pariter ac virorum religiosorum, qui Ludovico (the usurping king) et Baronibus auxilium, consilium vel favorem impenderant, sequestravit, quae omnia in suos et Clericorum suorum usus convertit. Thus the Barons had good right to call aloud l. c. p. 278: tu Johannes, lugubris memoriae pro futuri saeculis, ut terra tua, ab antiquo libera, ancillaret, excogitasti,—factus de Rege liberrimo tributarius, firmarius (*fermier*), et vasallus servitutis!—Et quid de te, Papa, qui pater sanctitatis, speculum pietatis, tutor justitiae, et custos veritatis toti mundo deberes lucere in exemplum? Tali consentis, talem laudas et tueris? Sed hac causa exhaustorem pecuniae Anglicanae et exactorem Nobilitatis Britannicae tibi inclinantem defendis, ut in barathrum Romanae avaritiae omnia demergantur: sed haec causa et excusatio est ante Deum culpa et accusatio.

³¹ Of the following history the contemporary writers are: Geoffroi de Ville-Hardouin de la conquête de Constantinople ann. 1198-1207 (in *l'histoire de l'empire de Constantinople sous les Empereurs françois* par C. du Fresne, à Venise 1729. fol.), and Nicetae Choniatae hist. (ann. 1117-1206. ex rec. Imm. Bekkeri, Bonnac 1835). Compare Raumer, iii. 195. Schlosser, III. ii. i. 29 ff. Wilken, v. 60. Hurter, i. 416, 469, 519, 619, 691.

³² Concerning these Nicet. Chon. lib. iii. p. 348 ed. Paris. τὸ δὲ δῆ μεῖζον καὶ ἀτοπῶτατον, παρεκτροπὴν πίστεως, ὅποια τοῖς Λατίνοις ἀσπάζεται, καὶ τῶν τοῦ πάπα προνομίων καινισμὸν, μετάθεσίν τε καὶ μεταπόισην τῶν παλαιῶν Ῥωμαίοις ἐθῶν συγκατέθετο. According to Vincent. Bellovac. lib. xxix. c. 64, Alexius was bound to pay 100,000 marks to the Venetians, and 100,000 to the Franks.

³³ Compare the story in Balduini epist. ad Ottонem Imp. written before the conquest of the city (in Arnoldi chron. Slav. lib. vi. c. 19, also given as Henrici Com. de S. Paulo

Thus the Church of Constantinople seemed now to be brought into subjection to the Roman See.³⁴ However, even now no one doubted the precariousness of this acquisition; for the new Empire already contained the germ of dissolution: on the other hand, it completely foiled that powerful enterprise in behalf of Palestine.³⁵

In the latter years of his life Innocent devoted especial attention to the Holy Land:³⁶ King Frederick took the cross even at his coronation; and at the Lateran Council of the year 1215 (iv. Lateran. XII. Oecum.), one of the most brilliant which had ever been held, the accomplishment of another Crusade was one of the chief ends in view.³⁷ The enthusiasm for the Holy Land was in-

ep. ad Ducem Brabantiae in Godefredi Mon. annales in Freher i.), and in Balduini ep. ad omnes fideles, issued after his accession to the throne (in Arnold l. c. c. 20, as Balduini ep. ad Adolphum Episc. Coloniensem in Godefred. Mon.). The last was sent to the Pope with the necessary alterations in form, ep. Balduini ad Innoc. (Innoc. lib. vii. ep. 152, and in Raynaldus 1204, no. 6).

³⁴ Innocentii ep. ad Clericos in crucesignatorum exercitu dd. Id. Nov. 1204 (lib. vii. ep. 154): *Tempus advenisse videtur, in quo destructis vitulis aureis Israel revertatur ad Iudam, et ad Hierusalem Samaria convertatur, quatenus atrio, quod secundum Apocalypsim Johannis est extra templum, foras ejecto (Apoc. xi. 2), non jam in Dan et Bethel, sed in montem Sion ad Dominum ascendatur, etc.*

³⁵ Gesta Innocent III. cap. 95: Both the Papal legates in Palestine, immediately after the taking of Constantinople, went thither, et tanta eos secuta est multitudo, non solum Laicorum, sed etiam Clericorum, quod alienigenae paene omnes et indigenae multi, Hierosolymitanam provinciam deserentes, Constantinopolim adierunt. So Reinerus Mon. Leoniensis († 1230) in his chronicon ad ann. 1207 (in Martene ampl. coll. v. 32), justly remarks: *Negotium Graeciae multum impedivit negotium Ecclesiae orientalis.*

³⁶ Wilken, vi. 83 (on the Children's Crusade see Wilken, vi. 71; Hurter, ii. 452). Bull for the Crusade of the year 1213 (lib. xv. ep. 28. in Mansi xxii. 956):—*omnibus qui laborem istum in propriis personis subierint et expensis, plenam suorum peccaminum, de quibus veraciter fuerint corde contriti et ore confessi, veniam indulgemus, et in retributione justorum salutis aeternae pollicemur augmentum. Eis autem, qui non in personis propriis illuc accesserint, sed in suis duntaxat expensis juxta facultatem et qualitatem suam viros idoneos destinarent, et illis similiter, qui licet in alienis expensis, in propriis tamen personis accesserint, plenam suorum concedimus veniam peccatorum. Hujus quoque remissionis volumus et concedimus esse particeps juxta quantitatem subsidii et devotionis effectum omnes, qui ad subventionem terrae sanctae de bonis suis congrue ministrabunt. Personas quoque ipsorum et bona, ex quo crucem assumserint, sub b. Petri et nostra protectione suscipimus, etc.*

³⁷ In the Bull of Summons (lib. xvi. ep. 30, in Mansi xxii. 960) we find: *Illi ergo testimonium invocamus, qui testis est in caelo fidelis, quod inter omnia desiderabilia cordis nostri duo in hoc saeculo principaliter affectamus, ut ad recuperationem videlicet terrae sanctae ac reformationem universalis Ecclesiae valeamus intendere cum effectu. Quapropter—hoc tandem ad exequendum praedicta—providimus faciendum, ut—generale Concilium juxta priscam sanctorum Patrum consuetudinem convocemus,—in quo ad extirpanda vitia et plantandas virtutes, corrigendos excessus et reformandos mores, eliminandas haereses et roborandam fidem, sopiendas discordias et stabiiliendam pacem, comprehendendas oppressiones et libertatem fovendam, inducendos Principes et populos christia-*

deed by no means extinct.³⁸ But in Germany the continuance of the two-fold reign of Frederick and Otto led to many unfavorable opinions of the Roman See, which necessarily obstructed its readiness to undertake a fresh Crusade.³⁹

nos ad succursum et subsidium terrae sanctae tam a Clericis quam a Laicis impendendum,—provide statuantur,—quaecunque de ipsius approbatione Concilii visa fuerint expeditare, etc.

³⁸ Compare the troubadour Pierre d'Auvergne (in French by Millot, vol. ii. p. 20, in the original by Raynouard, vol. iv. p. 115). Dieu exige, que nous le suivions pour aller reprendre son saint sépulcre. Suivonsle donc, comme l'église l'ordonne. Celui qui mourra, pourra dire à Dieu : *Si tu es mort pour moi, ne suis-je pas mort pour toi?* (Like St. Lewis in Humbertus de Romanis, c. 17. See below, § 58, note 4.) Then come demands requiring the Emperor Otto, Kings Philip Augustus and John, to make peace and take the cross. Quiconque restera, l'enfer sera son partage.

³⁹ Compare Walter von der Vogelweide : see his Poems, edited by K. Lachmann. Berlin, 1827. s. 34 :

Ahi wie kristenliche nû der bâbest lachet,
swanne er sinen Walhen (Welschen) seit : ich hânz alsô gemachet,
—ich hân zwén Almân under eine krône brâht,
daz siz riche sulen stoeren unde wasten.
ie (immer) dar under fullen wir die kasten :
ich hâns an mîneï stoc (*truncus*, money-casket) gement (getrieben), ir guot ist allez min :
ir tiutschez silber vert in minen welschen schrin.
ir pfaffen, ezzent hûnrr und trinkent win,
unde lânt die Tiutschen — vasten.

Sagt an, hér stoc, hât iuch der babest her gesendet,
daz ir in richet, und uns Tiutschen ermet unde pfendet ?
Swenn im diu volle mâze kumt ze Latrân,
sô tuot er einen argen list, als er è hât getân :—
ich waen des silbers wênic kumet ze helfe in gotes lant :
grôzen hort zerteilet selten pfaffen hant.
hér stoc, ir sit úf schaden her gesant,
daz ir uz tiutschen liuten suochet toerinne unde narren.

Compare the same author in Lachmann, s. 25.

Künc Constantín der gap sô vil,
als ich ez iu bescheiden wil,
dem stuol ze Rôme, sper, kriuz unde krône.
Zehant der engel lûte schré :
owê, owê, zem dritten wê !
c (ere) stuont diu kristenheit mit zühten schône :
Der ist ein gift nû gevallen,
ir honec ist worden zeiner gallen.
daz wird der werlt hernâch vil leit.
alle fürsten lebent nû mit éren,
wan der hochste ist geswachet :
daz hât der pfaffen wal gemachet.
daz si dir, süezer got, gekleit.
die pfaffen wellent leien reht verkéren.
der engel hât uns wâr geseit.

Also Johannes de Parrhisiis (see below, § 59, note 36) quotes from a Vita Sylvestri : quod in donatione illa audita est vox angelorum, dicentium in aere : *Hodie in Ecclesia venenum effusum est.*

§ 55.

HONORIUS III. (1216–1227.) GREGORY IX. (1227–1241.)

Principal Sources: From this time Raynaldi ann. eccles. are important, because of their extracts from the unprinted “Regesta” of the Popes. Raumer, *Gesch. d. Hohenstaufen*, iii. 311, has contributed some new extracts, in translations, from the *Regesta Honorii III.*, and *Greg. IX.* (MSS. in the Vatican Library and the Archives). Besides these are Frederick the Second’s Letters in the Epistles of his Chancellor, Petri de Vineis epistolarum libb. vi. ed. Sim. Schardius. Basil. 1566. 8. novam edit. adjectis var. lectt. curavit J. R. Iselius. Basil. 1740. 2. Tomi 8, also in Martene ampliss. collect. ii. 1134, in Baluzii miscellan. i. 446, in Hahnii collectio monumentorum i. 209, in Matthaeus Paris and Raynaldus.—The Historian is Richardus de S. Germ. (see before, § 51).

When the young Emperor, Frederick II., set free from his cramping state of tutelage by the death of Innocent III., sought to attain a more independent position in his kingdom, he would undoubtedly at first have fallen out with the Roman See, which had now reached the pinnacle of its power, had not the personal character of the new Pontiff, Honorius III., been mild and yielding. Thus he suffered himself to be reasoned into acquiescence, when Frederick caused his son, Henry, who had been already appointed King of Sicily, to be chosen King of Germany also (April, 1220),¹ and allowed the former, notwithstanding, to be crowned Emperor (22d Nov. 1220).² In the same manner, Frederick met with but

¹ He won over the German Prelates, by the grant of further privileges in the *Confederatio cum Principibus ecclesiasticis*, Francof. 6 Kal. Maji 1220, in Pertz, iv. 236. Frederick’s communication of this to the Pope is in Raynald. ann. 1220, no. 12. ss., in which he says (no. 16): *Videtur autem nobis,—quod—non ob aliud promotionem nostri filii gravem fertis, nisi quia de unione Regni cum Imperio dubitatis. Quod equidem timere, aut suspicari non debet Ecclesia mater nostra.*—*Absit enim, quod Imperium commune aliquid habere debeat cum Regno:—tales nos exhibebimus apostolicae Sanctitati, quod merito gaudere poterit mater Ecclesia talem filium procreasse.* Nam etsi in Regno jus aliquod Ecclesia non haberet, et nos sine haerede decidere legitimamente eveniret, prius ipso Romanam Ecclesiam quam imperium dotaremus. Cf. J. D. Ritter diss. de electione Henrici VII. Vitemb. 1752. 4. Raumer, iii. 329.

² The juramentum which Frederick drew up in Hagenau Sept. 1219, and promised to take at his coronation (in Raynald. 1274, no. 4. Pertz, iv. 232. *Spicilegium Rom.* vi. 239), is to the same purport as the engagement of 1213 (§ 54, notes 17 and 20). Here, according to Pertz in the promissio, but not in the juramentum, after the words *adjutores etiam erimus ad defendendum Ecclesiae Romanae regnum Siciliae*, is found the addition, *nec non Corsicam et Sardiniam*, which in Raynald. 1213, note 25, is falsely introduced also into the promissio of 1213. The documents on the coronatio Romana are in Pertz, iv. 240: especially the constitution granted by the Emperor on his coronation day, for the liberties of the Church and clergy, against heretics, against the right of appropriating stranded goods, for the protection of foreigners and agriculturists l. c. p. 243, also in *Corpus juris civilis* ed. Kriegel. P. iii. (ed. E. Osenbrüggen), p. 884.

little opposition from the Pope, when he afterward began to restore in his Sicilian dominions the rights of the crown, which had been almost forgotten during the Papal Protectorate.³ With regard to the subjection of Lombardy, which was Frederick's aim in the Diet of Cremona (1226), and the renewal of the Lombard League occasioned thereby, the Pope indeed openly took the side of the latter.⁴ Since, however, Frederick soon seemed to forego this enterprise, it did not interrupt his relations with the Pope.

Because of these engagements in the internal arrangement of his realms, the Emperor had continually put off the promised Crusade to a future time, regardless of the repeated exhortations of the Pope, and regardless of the fact that, since his marriage with Jolante (1225), he styled himself King of Jerusalem,⁵ in opposition to King John of Brienne. In the treaty of St. Germano (1225) the Crusade was at last fixed for August, 1227;⁶ but when the Emperor, compelled by sickness, then desired fresh delay, the yielding Honorius was dead († 18th March, 1227), and the rash and headstrong Gregory IX. forthwith pronounced sentence of excommunication against Frederick.⁷

³ The epistle of Honorius to Frederick ann. 1226, which especially illustrates these circumstances, *Miranda tuis sensibus, etc.* (Raumer, iii. 400), is printed at length in Mansi xxiii. 91 (by mistake as an epistle of Gregory IX.), and in the *Notices et extraits ii.* 258.

⁴ On his mediations in party politics, Raumer, iii. 409. Godofred. Mon. ad. ann. 1226, says outright: *P. Honorius—mittens Alatrinum Capellanum suum, cuius suggestione Mediolanum et multae civitates complices contra Imperatorem conjuraverunt, facientes collegium, quod Longobardorum societas per multa tempora est vocatum.*

⁵ That the fault of delay was not only to be laid to the Emperor's charge, but also to the abatement of interest in these enterprises, see Raumer, iii. 322 f., 327, 359, 382 ff., 419. Wilken, vi. 359.

⁶ Rich. de S. Germano, p. 998, and thus: *Haec capitula—promisit Imperator se publice servaturum excommunicatione adjecta in se et terram suam, si haec non fuerint observata.*

⁷ In the bull of excommunication in Matth. Paris, p. 345 ss., and in Raynald 1227, no. 30 ss. Mansi xxiii. 40, the delay of the Crusade is the only reason given: on the other hand, Frederick relates, in his epist. ad commune Cesenense (Hahnii collectio monumtorum, i. 212): [Rom. Pontifex] die Jovis ante festum Paschac cum populum ex diversis mundi partibus pro dici solennitate in sui praesentia congregatum deberet ad liberationem terrae sanctae—invitare, ac de praesenti transitu nostro gratam facere mentionem, negotium Mediolanensem ac aliorum quorundam proditorum nostrorum coram omni populo, proh pudor! in medium introduxit procedens contra nos,—ut per hoc manifestissime cognoscatur, quod, ex quo non habuit, ut incepit, pro negotio terrae sanctae contra nos justam materiam procedendi,—deficientibus justis causis rem inconvenienteum assumvit. — Videat ergo universitas vestra,—si a saeculo est auditum, quod adversus aliquem Romanum Principem pro suis proditoribus fuerit umquam tam indecenter a Pontifice Romano processum. Frederick protests in his epist. ad univ. Reges et Principes christ. (Matth. Paris, p. 347): se non frivilis excusationibus, sicut ei Papa mendose imposuit, a peregr-

When, however, he still commenced the Crusade (11th August, 1228, Fifth Crusade),⁸ public opinion quickly turned in his favor,⁹ especially when he concluded an advantageous truce for ten years (March, 1229) with Camel, sultan of Egypt,¹⁰ notwithstanding the internal confusion of the Kingdom of Jerusalem, and the effects of the ban which followed him into Palestine; and the Pope was censured on all sides when he suffered Apulia to be overrun by his armies, although he was inflamed by Frederick's Sicilian viceroy, Rainold, duke of Spoleto.¹¹ However, the Papal

natione reversum inchoata, sed maximae infirmitatis causa, illius super hoc testimonium invocans, qui est testis in caelo fidelis. Affirmavit insuper, quia quam citius sibi Deus prosperitatem praestiterit corporalem, votum suac peregrinationis, sicut deceat Imperatorem, cum honore congruo persolvere Domino procurabit. In his epist. ad Anglorum Regem (ibid. p. 348) he makes this statement, Romanam Ecclesiam tanto jam avaritiae succensam incendio, et concupiscentia manifesta, quod bonis ecclesiasticis non sibi pro voto sufficientibus, Imperatores, Reges et Principes exhaeredare et tributarios constituere non veretur. There is an extract from his epist. ad Principes Allemanniae in chron. Ursperg. ad h. a. Compare Wilken, vi. 426.

⁸ Raumer, iii. 431. Schlosser, III. ii. i. 148: Wilken, vi. 452.

⁹ The contemporary Conrad, abbot of Auersberg (chron. Urspr. ad ann. 1227), gives his opinion: Hic [Gregorius IX.] tanquam superbus—coepit excommunicare Fridericum Imperatorem pro causis frivolis et falsis, et postposito omni ordine judicario.

¹⁰ See the conditions of this peace, and the encyclic letters, in which Frederick communicated it to the Pope and western Princes, in Pertz, iv. 200. On the other side there are the reports sent by Gerold, patriarch of Jerusalem to the Pope (Raynald. ann. 1229, no. 3 ss.), and ad universos Christi Fideles (in Matth. Paris, p. 359 s.). In the first he makes this complaint among others: Imperatori Soldanus audiens, quod secundum morem Saracenicum se haberet, misit cantatrices, quae et saltatrices dicuntur, et joculatores, personas quidem non solum infames, verum etiam de quibus inter Christianos haberi mentio non deberet. Cum quibus idem Princeps hujus mundi vigiliis, potionibus et indumentis, et omni more Saracenico se gerebat, etc. The Pope, however, knew still more (Matth. Paris, p. 361): Audierat enim idem Papa de Imperatore praefato multa detestanda, quae faciebat contra legem christianam, quorum tenorem in scriptum redigens, per diversas orbis partes literis apostolicis publicare procuravit. In these even this was said among other things: Veruntamen manifeste videbatur, quod magis approbaret (secundum quod perpendi poterat per gestus exteriore) legem Saracenorum, quam fidei nostrae, quia in multis ritus eorum imitatus est. Frederick had intercourse before now with Saracens in Sicily, especially with men of learning (for the removal of the Saracens in 1223 from Sicily to Liceria in Apulia, see Recherches sur les monuments et l'histoire des Normands et de la maison de Souabe dans l'Italie méridionale, publiées par le Duc de Luynes. Paris, 1844 fol.). The servant at the Mosque of Omar, in Jerusalem, who showed the Emperor round it, gave this opinion of him (Reinaud extraits des historiens arabes relatifs aux guerres des croisades, p. 431): Ses discours montraient assez, qu'il ne croyait pas à la religion chrétienne; quand il en parlait, c'était pour s'en railler. Gemal-ed-din, who came as ambassador to Manfred about 1260, says of Frederick (Abulse-dac annal. Muslem. iv. 349): erat Imperator vir inter Francorum Principes ingenii dotibus excellens, philosophiae et logices et medicinae amans, animo in Muslemos propensus, quod valde mirum in eo non est, cum in Sicilia, cuius incolae plurimi Muslemi sunt, adolevit.

¹¹ Gregory indeed wrote to his Legate in France (in Matth. Paris, p. 348 s.): Adhuc pro

army (clavigeri) was soon chased away by the Emperor on his return; and since all the efforts of the Pope to raise the people against Frederick remained without any adequate result,¹² and

certo scias quod licet dictus Imperator cum paucis militibus mare dicitur intrasse, contra patrimonium Ecclesiae magnum exercitum Christianorum et Saracenorum multitudinem destinavit (how groundless this charge was, see Raumer, iii. 445, 453).—Cum igitur ex officio—providere cogimur, ne minister Machometi in Christi ministros diutius valeat desnevire,—Dilectioni tuae—mandamus, quatenus—haec solenniter praedicans Christi fidelibus, ut pro statu fidei et religionis observantia stent ex animo, tanquam prosequentes singuli proprium interessse, etc. Still Conrad of Lichtenau (l. c.) gives as his judgment: Papa captata occasione de absentia Imperatoris copiosum exercitum destinavit in Apuliam, et terras Imperatoris in servitio Christi demorantis, quod nefandissimum est dicere, abstulit, et sibi subegit, et crucesignatos, ne transfretarent, omni studio prohibuit, tam in Apulia, quam in Lombardia. Quis talia facta recte considerans non deploret et detestetur, quae indicium videntur, et quoddam portentum, et prodigium ruentis Ecclesiae? A Minnesinger, who had taken part in the Crusade, condemns, indeed, the Emperor's intimacy with the Sultan, but still more the hostile demeanor of the clergy toward the Emperor, who had nevertheless done so much in Palestine, see Bridanes Bescheidenheit, by W. Grimm, Göttingen, 1834, s. 154 ff. Compare the Preface s. xlivi. e. g. s. 160:

got unt der keiser hânt erlöst
ein grap, de ist aller kristen trôst.
sît er das beste hât getân,
so sôl man in ûs banne lân.
desn wellent Rômaer lihte niht :
swas ân ir urloup guotes geschiht,
dem wellents deheiner staete jehen ;
nu ist das ân ir dank geschehen.

- S. 162: Der ban der hat kreste niht,
der durch vientschaft geschiht.
S. 151: Der bâbest ist ein irdesch got,
und ist doch dicke der Rômaer spot.
ze Rôme ist sbâbstes ère kranc :
in vremedu lant gât sin getwane.
sin hof vil dicke wüeste stât,
so er niht vremeder tôren hât.

¹² About his Lombard allies he utters bitter complaints (Rayn. ann. 1229, no. 33): Utinam nunquam Lombardi se nostris obsequiis obtulissent! utinam nunquam ab ipsis aliquod auxilium sperassemus, quoniam satis alias honori Ecclesiae consulere poteramus, nisi quia nolentes cis subtrahere dexteram adjutricem supplicationibus et promissionibus acquiescimus eorundem. Sed dum causam eorum in alienis finibus utiliter ageremus, dum refraenaremus impetum inimici aspirantis ad ipsorum exterminium inhianter, ecce Lombardi auxilium adeo distulerunt, etc. Now other nations were pressed to aid. England, whose weak King, Henry III., quite gave himself up to the Papal Legate, for the sake of support against his own people (Schlosser, III. ii. ii. 269), was forced to furnish money. Matth. Paris ann. 1229, p. 361 ss.: Dominus Papa exigebat decimas omnium rerum mobilium—ab universis laicis et clericis ad guerram suam sustinendam. The laity refused; the Legate Stephen compelled the clergy, commanding them under pain of interdict and excommunication, and they were even obliged to give tithe, de frugibus autumni futuri, qui adhuc in herba crescebant. The Legate had with him, at hand, money-lenders of the worst kind, disguising usury under the name of business, qui egentibus et exactionibus vexatis obtulerunt pecuniam: et urgente memorato Stephano sub poena gravissima coacti multi mutuo cepere, qui postea in laqueos eorum inciderunt, damna instaurabilia incurentes.—Ex eo autem tempore non defuerunt in terra Anglicana quidam transmontani, qui se mercatores nominant, usurarii impiissimi, qui nihil aliud querunt,

since in Germany, even in the “*Sachsenspiegel*,” fundamental principles were already laid down which contravened the Pope’s universal sway,¹³ he must have been glad to see all differences settled by the honorable peace of St. Germano (28th August, 1230).¹⁴

The new friendship stood the test of many explanations with regard to the continually clashing interests of both sides, and even by the new collection of Sicilian laws, made by Peter de Vineis¹⁵

nisi in laqueis suis, praeccipue quos Romana curia angariat, illaqueare.—Gregory even writes to the Archbishop of Lyons (Raynaldus 1229, no. 35). te in succursum Ecclesiae advocavimus confidenter, utpote qui praestito juramento ad defendendum Papatum et regalia b. Petri esse teneris adjutor—(see below, § 62, note 1). Fraternitatem tuam rogamus,—in virtute obedientiae sub debito juramenti districte praecipiendo mandantes, ac in remissionem peccaminum—injungentes, quatenus sine morae dispendio cum congruo exhortio bellatorum ad nos personaliter venire festines. For his exertions in Germany, see Godefrid. Mon. ad ann. 1228: Papa—per omnes provincias publice mandat, Imperatorem excommunicatum denunciari, missis nunciis et maxime praedicatoribus ad id exequendum. Quorum unus dictus Otto Cardinalis—in Teutoniam et Daciam mittitur, cuius intentio erat Imperatoris gravamen procurare, et super hoc consilium expetere Ottonis dicti Ducis de Lunenburg: sed idem Otto contra Imperatorem renuit aliquid attentare. He was even driven away from Liege (compare on this head the gesta Pontiff. Leodensium, c. 130, in Chapeavilli gesta Pontiff. Leod. ii. 259, by Aegidius, a contemporary): and the men of Aix had taken Episcopum Mutinensem de Prutia (about this man, Bishop of Modena, a legate in Prussia, see Munter’s Magazin f. Kirchengesch. des Nordens, i. 185) on his way back from his mission, et captum detinuerant, magna quantitate auri sublata. The Legate was commissioned (Alberici chron. p. 535): ad submittendum et concitandum Archiepiscoporum, etc., animos domino Papae in depositionem Regis Alemanniae Henrici, filii Imperatoris—excommunicati, et ad electionem alterius, qui repertus fuisset idoneus, sed inter factum et dictum multa frequenter impedimenta occurrunt. For instance, Godefrid. Mon. ad ann. 1230: Otto—apud Herbipolin concilium provinciale indicit, sed renientibus laicis, et paucis Ecclesiarum Praelatis venientibus iratus recessit.

¹³ The *Sachsenspiegel*, collected by Eiko of Repchowhe, magistrate in Salpke, near Magdeburg, about 1216 (published by C. W. Gärtner, Leipzig, 1732 fol. by Dr. C. G. Hommeyer, Berlin, 1827. 8), Buch i. Art. 3, toward the end: Jo doch en mach dey Pawes neyn recht setten, dar he unse lantrecht off leenrecht mede ergere off krenke. Buch 3. Art. 54 (al. 48): Also men den Koninck kuset, so sal hei deme rike hulde doen, und sweren, dat hey recht sterken und unrecht krenken wille, und dat rike vorstaen an symrechte, so hei best kunne und moge. Darna en sal hei neyne eede mer sweren, id en sy dat one dey Pawes schuldige, dor dat hey an deme rechten geloven twivele (cf. § 54, notes 12, 15, 18).—dengenen dei in des Paweses banne is mit rechte, denen moet men nicht to Koenigen keisen. Art. 57 (al. 50): Den Keyseren mach dey Pawes noch neymant bannen na der tiit, dat hey gewyet is, dann vinne drei sake willen. off hey an deme geloven twyvelt, syn echte wiiff verleet, eder godes hus vorsturet. Art. 63 (al. 56): Bann schadet der seile, und nemet doch neymande syn liiff, und krenket neymande to lantrechte, dar en volge des Koninges achte na. The Papal Bull, which condemned 14 articles of the *Sachsenspiegel*, and among them those above quoted, is attributed by Mansi xxiii. 157 ss. to Gregory IX., but it is by Gregory XI. in the year 1374 (see Raynald. ad. h. a. no. 12), although Gruppen doubts its genuineness altogether (Spangenberg’s Beitr. zu d. deutschen Rechten des Mittelalters. Halle, 1822. 4. s. 94 ff.).

¹⁴ Rayn. ann. 1230, no. 3 ss. Raumer, iii. 458.

¹⁵ The best edition is *Constitutiones Regum regni Siciliae utriusque*. Neapol. 1786

(1231), it was only interrupted for a time:¹⁶ but it was wrecked at last on the Lombard polities;¹⁷ for while the Emperor was incessantly striving to restore in this country the ancient rights of his crown, the Pope feared nothing more than to be surrounded on all sides by the obedient subjects of one monarch. When the judicial decisions of the Pope, unfavorable as they were to the Emperor, still produced no effect upon the Lombards,¹⁸ Frederick at length (1236) had recourse to arms,¹⁹ and now Gregory became

fol. There is a sketch of this legislation in Raumer, iii. 468. Severe laws against heretics lib. i. tit. 1–3, but tit. 17: *Judaeos et Saracenos non propterea, quod Judaei vel Saraceni sunt, artari volumus innocentes.* Tit. 42: The crimes of the clergy belonged to ecclesiastical jurisdiction, excepto si de proditione aliquis fuerit appellatus, vel alio magno hujusmodi maleficio, quod spectat ad majestatem nostram: quod si acciderit, volumus et praecipimus, ut de hoc—in nostra curia judicetur. Tit. 46: *firmiter inhibemus Praelatis Ecclesiarum, Comitibus, etc., ne justitiarius officium in terris suis exercere audeant, vel gerendum alicui demandare.* Tit. 66: *Si quis clericus de haereditate vel aliquo tenimento, quod non ab Ecclesia—teneat, appellatus fuerit; volumus, ut de hoc in curia illius, in ejus terra possessionem vel tenimentum habuerit, respondeat, et quod justum fuerit, faciat.*

¹⁶ Gregory wrote indeed to the Emperor on this subject (Rayn. ann. 1231, no. 9): *Intelleximus siquidem, quod vel proprio motu, vel seductus inconsultis consilio perversorum novas edere constitutiones intendis, ex quibus necessario sequitur, ut dicaris Ecclesiae persecutor, et obrutor publicae libertatis, etc.* But as Frederick answered firmly, and at this time the Romans pressed the Pope hard, there followed soon a soothing letter (ib. no. 10): *Intelleximus, quod ex literis, quas nuper imperjali celsitudini destinavimus, motus uteunque fuisti, quia plus amaritudinis quam dulcedinis sapere videbantur.—Sed nec filio fuit aegre ferendum, quia pater filium, quem diligit, corripit.—Rogamus—quatenus omni omnino suspicione deposita, quod id processerit nisi de merae spiritu caritatis, de nobis in veritate confidens, etc.*

¹⁷ Gregory informed the Lombards of the treaty of St. Germano, with an assurance from the first that they should not be sufferers from it (dd. 10th Oct. 1230, in Hofler's Kaiser Friedrich II., Munchen, 1844, s. 329), *cum nec leviter possetis offendii, quia graviter nos reputaremus offensos.*

¹⁸ Raumer, iii. 642 ff. 728 ff.

¹⁹ Gregory would rather have sent the Emperor to Palestine for this reason; however he answered him (in Matth. Paris ann. 1236, p. 433): *Italia haereditas mea est, et hoc notum est toti orbi. Anhelare ad aliena et propria relinquare, ambitiosum esset et enorme: prascertim cum Italcorum, praecipue Mediolanensium, me injurias laceravit insolentia; in nullo mihi debitam exhibens reverentiam. Praeterea Christianus sum, et qualisunque servus indignus Christi, accinctus ad Crucis inimicos debellandos. Cum igitur tot haereses non tantum pullulent, imo silvescant in Italia, et jam zizania segetes incipiunt suffocare per civitates Italicas, praecipue Mediolanensium: transire ad Saracenos hostiliter expugnandos, et illos incorrectos pertransire, esset vulnus infixo ferro fomentis superficialibus delinire, et cicatricem deformem, non medelam procurare. Item solus sum et homo sum, nec ad tantum laborem sufficio, ut inimicos Crucis sine magno comitatu adeam debellatur, incredulos, qui tot sunt, et tam fortes, expugnando. Iterum cum sine thesauris magnis ad tam arduum negotium consurgere per me non sufficiam, opes ejusdem terrae in open et ultionem Crucifixi convertere destinavi. Abundat equidem Italia armis, equis, et opibus: hoc terra novit universa. On the well-known spread of heresies among the Lombards Frederick lays great stress, with a view to introduce here also the principles adopted against the Albigenses.*

his foe. He could be at no loss for charges against the Emperor, so soon as he sought them, in virtue of the claims of the Roman See at that time; especially as Frederick's son Enzio had become King of Sardinia by marriage (1238), without any reference to the Pope.²⁰ At length Gregory concluded a public alliance with the Lombards, and pronounced sentence of excommunication and de-thronement against Frederick (20th and 24th March, 1239).²¹

Now began a struggle for life and death. At first both parties endeavored by violent publications and replies to win public opinion to their side; and here it was that the Pope, accused by the Emperor of being a protector of heretics,²² retorted upon him a

²⁰ When the Pope reminded him of his oath (above, note 2) he answered, Matth. Paris, p. 484: *Ipsam insulam ad Imperium spectare ab antiquo, et per occupationes et alia ardua negotia imperialia Imperatores eam amisisse, et ipsum ideo eam ad corpus Imperii revocasse. Ego vero juravi, ait, ut jam novit mundus, dispersa Imperii revocare: quod non segniter adimplere procurabo.* Cf. J. T. Koeler *Entius s. Henricus Rex Sardiniae diss. hist.* Goett. 1757. 4. King Enzio, by E. von Münch, Stuttgart, 1841. Raumer, iv. 13.

²¹ Now, indeed, the Emperor, who since the battle of Cortenuova (November, 1237) had gained decidedly the upper hand, would have no more of Papal interference. The deed of excommunication is in Matth. Paris, p. 486, and Rayn. 1239, no. 2 ss. Among the reasons for excommunication the most remarkable are: I. quod contra Romanam Ecclesiam seditionem iniit in Urbe, III. quod non permittit quasdam cathedrales et quasdam alias vacantes Ecclesias in Regno ordinari, IV. quod in Regno clerici capiuntur et incarcernatur, proscribuntur et occiduntur, VII. quod nepotem Regis Tunicii venientem ad Ecclesiast Romanam pro suscipiendo baptismatis sacramento detinet nec venire permisit, IX. quod terras Ecclesiae sc. Ferrariam, etc., et terram Sardiniae occupavit contra juramentum, quo super hoc Ecclesiae tenetur, temere veniendo, XVI. quod per ipsum impeditur negotium terrae sanctae, et reparatio Imperii Romaniae. Frederick sent back an answer to these charges, which for the most part is severe enough, to the Pope by the messengers who brought him tidings of his sentence (in Matth. Paris, p. 492 ss.).

²² Frederick forthwith issued letters to the Cardinals (Matth. Paris, p. 491. Petri de Vineis epistoll. i. 6), to the Romans (Matth. Paris, p. 490. Petr. de Vin. i. 7), to all nobles (Matth. Paris, p. 500. Petr. de Vin. i. 21), etc. The last displays the posture of affairs most plainly. *Indignum praeterea se tanti coercitione Principis, et generaliter qualibet pontificalis auctoritate judicii reddidit, dum Mediolanensem civitatem, quae pro maxima parte—inhabitatur haereticis, contra nos et Imperium manifesto favore tuerit. Quantumcunque conscientiae nostrae librum sollicite revolvamus, nullam in nobis occasionem invenimus ad causam, propter quam iste inimicus homo contra nos debuisse tam acriter commoveri.* Nisi quod cum ipso contrahere de nepte sua desponsanda Henrico naturali filio nostro, nunc Regi Turris et Gallurac nostra magnificentia credidit indecens et reputavit indignum.—*Ad domos vestras cum aqua concurrite, dum ignis accenditur in vicinis.* Causam motus pontificalis attendite, quod in favorem rebellium nostrorum procuratur. Quae causa licet ad praeiens expressa non fuerit, proculdubio tamen subest. *Similia vobis in vestris imminere pericula timeatis.* Facilis enim et Regum et aliorum Principum omnium humiliatio creditur, si Caesaris Romanorum potentia conteratur, cuius clypeus prima jacula sustinet adversantium. Haec est namque causa pro vero, vide-licet de Lombardis, quae cor Papae pungebat et urebat intrinsecus: licet ipsam foris educere propter nostrum et audientium scandalum non auderet: pro qua nobis per speciale suum nuncium fide dignum (eujus ad hoc testimonium invocabamus) oretusse expresse promisit, quod si negotium Longobardorum in ejus arbitrio poneremus, nedum quod in

charge of downright infidelity,²³ a charge which, though at once justly estimated by unprejudiced persons, was nevertheless of great weight issuing from his mouth.²⁴ Meanwhile Gregory's

aliquo magnificentiam nostram offenderet, verum etiam totius orbis decimas, terrae sanctae necessitatibus consecratas, nostris utilitatibus applicabat.

²³ Gregorii ep. ad omnes Principes et Praelatos terrae (in Matth. Paris, p. 506. Mansi xxiii. 79) : Ascendit de mari bestia, blasphemiae plena nominibus, quae pedibus ursi, et leonis ore desaeviens ac membris formata caeteris sicut pardus, os suum in blasphemias divini nominis aperit, tabernaculum ejus et sanctos, qui in caelis habitant, similibus impetrere jaculis non omittit (Apoc. xiii. 1–6). — Igitur admirari desinite omnes, ad quos ab hac bestia contra nos edita pervenerunt obloquia blasphemiae. Next comes a long statement of the circumstances in detail, and at the end : iste Rex pestilentiae a tribus Baratoribus, ut ejus verbis utamur, scilicet Christo Jesu, Moyse et Machometo, totum mundum fuisse deceptum : et duobus eorum in gloria mortuis, ipsum Jesum in lignum suspensum manifeste proponens : insuper dilucida voce affirmare, vel potius mentiri praesumpsit, quod omnes fatui sunt, qui credunt, nasci de virgine Deum, qui creavit naturam et omnia, potuisse. Hanc haeresim illo errore confirmans, quod nullus nasci potuit, cuius conceptum viri et mulieris conjunctio non praecessit : et homo debet nihil aliud credere, nisi quod potest vi et ratione naturae probare. The passionate tone shows plainly how hard he was hit by those declarations of Frederick's. Frederick did not remain long in his debt. In his answer (Petr. de Vin. i. 31) he declared him to be the beast of the Apocalypse, vi. 4.—Ipse est Draco magnus, qui seduxit universum orbem, Antichristus est, cujus nos dixit esse praecambulum : et alter Balaam conductus pretio, ut malediceret nobis, princeps per principes tenebrarum, qui abusi sunt prophetiis. Hic est angelus prosliens de abyso, habens phyalas plenas amaritudine, ut mari et terrae noeat. Inseruit enim falsus Christi vicarius fabulis suis, nos christianaे fidei religionem recte non colere, ac dixisse tribus baratoribus mundum esse deceptum : quod absit de nostris labiis processisse, cum manifeste confiteamur unicum Dei Filium, etc. Then follow orthodox declarations of his belief about Christ, Mohammed, and Moses. Sed si rectitudo sensus apostolici non fuisset intrinsecus impedita, nec praeposuisset impetum rationi, qui dominatur in ipso, talia non scripsisset.

²⁴ Mathew Paris, p. 512. On the effect of the Papal Brief: Nisi Romana avaritia devotionem populorum a domino Papa, plusquam expediret et decretet, avertisset: totus mundus hac epistola exasperatus in Imperatorem, quasi in manifestum hostem Ecclesiae et Christi inimicum, graviter et unanimiter insurrexisset. Sed proh dolor! multi filii a patre suo Papa avulsi sunt et Imperatori adhaerentes asserebant, quod *odium inexorabile, inter eos jam induratum*, prædicta jurgia et invectio[n]es excogitatas excitabat.—Addiditque populus: Quid sibi vult istud? Retroactis temporibus imposuit Papa Imperatori, quod ipse Machometo legique Saracenicae plus consensit, quam Christo vel legi christianae: nunc autem in sua invectiva epistola imponit eidem, quod tam Machometum, quam Jesum vel Moysem, quod horribile est recitare, vocat Baratazem. In epistolis suis humiliiter de Deo scribit Imperator et catholice, nisi tantum quod hac ultima papali personae derogat, non officio: nec publice prædicat, nec procaciter sustinet quicquam haereticum, ut novimus adhuc, vel profanum: non usurarios nobis misit, vel raptiores redditum. Et sic ortum est jam schisma in populis formidandum. In order to judge rightly of this charge against Frederick, it must be remarked: 1. That between the first and second excommunication not a word is said of it, while Frederick urges on the Pope the suppression of heresies in Milan, and that even in the second bull (note 21), where every thing is hunted up, nothing of the kind is brought forward. Immediately after this, however, the rumor must have come to the ears of the Pope, and at a time when the credulity and passionate temper of the man, now almost a hundred years old, must undoubtedly have encouraged tale-bearers enough. 2. That Innocent IV. at Lyons, 1245, does not venture to repeat this charge (see below, § 56, note 4). 3. So early as the year

attempt to raise up a pretender to the throne against Frederick was powerfully resisted not only in Germany,²⁵ but also in

1201, Simon de Tournay, professor of Theology in Paris, is said to have declared: *tres sunt, qui in mundum sectis suis et dogmatibus subjugarunt, Moyses, Jesus et Mahometus.* Moyses primo judaicum populum infatuavit, Jesus Christus a suo nomine Christianos, gentilem populum Mahometus. See Thomas Cantipratanus (a Dominican † 1263) *bonum universale de apibus*, lib. ii. c. 48, no. 5. And would a man of great intellectual power, as Frederick undoubtedly was, have adopted such strange folly from another hand? 4. Frederick may well have thought more freely on many dogmas than his contemporaries (see especially the opinion of the Arab above, note 10); yet the anecdotes of his unbelief in Albericus, p. 568, etc. (compare Raumer, iv. 36) and shameful morals (the same, iv. 234) can not deserve unconditional belief; and I can not on this account, with Schlosser, III. ii. i. 147, 407, 425, disclaim for him all faith in religion and morals. Comp. Raumer, iii. 569; iv. 39. The Tract *De tribus impostoribus*, has indeed borrowed its title from this story, but it belongs at the earliest to the 16th century, see *De impostura religionum breve compendium*, s. lib. de tribus impostoribus, published with an introduction by F. W. Genthe, Leipzig, 1833. *Der Zweifel am Glauben, kritik der Schriften de tribus impostoribus*, by D. K. Rosenkranz, Halle und Leipzig, 1830.

²⁵ Albertus Stadensis ad ann. 1240, p. 213: *Papa Archiepiscopos et Episcopos ad denunciationem Imperatoris sollicitavit, sed modicum profecit, nisi in Francia et Dacia. Archiepiscopi et Episcopi Teutonici Papae rescripserunt, supplicantes ei, ut pro scandalo Ecclesiae evitande, de pace inter se et Imperium cogitaret.* p. 215: *Papa Gregorius insolentias Imperatoris contra Ecclesiam metuens Principes super electione alterius solicitavit, sed nihil profecit, quia quidam Principum ei rescripserunt, non esse sui juris, Imperatorem substituere, sed tantum electum a Principibus coronare.* Such letters from the bishops and princes to the Pope, see in Pertz, iv. 334, among others Herman, landgrave of Thuringia, writes: *leve non est, tantum Romanorum Principem—Injuriose vexari, dum juris parere desiderat aequitati: certe, pater, fides devotorum Imperii, ut cessent praemissa, se potenter opponeret et patenter; nec credatis aliud assentatori alicui contrarium suggerenti.* Several bishops and princes (Hahnii collect. monument. i. 234): *Imperi justitiam, propter quam persecutionem se pati queritur, product in medium dominus Imperator, ad suae causae munimen, praeter expressae probationis indicia, vulgaris famae praeedium et testimonium generalis opinionis adducens, quod in favorem Mediolanensium et suorum sequacium processeritis taliter contra eum.* Matth. Paris ad ann. 1239, p. 516: *tantum promeruit Romanae Ecclesiae improbitas omnibus execranda, quod a nullis vel a paucis meruit papalis auctoritas exaudiri.* From the unprinted acts of the papal Legate Albert von Beham, archdeacon of Passau, which are still extant in the Royal Library at Munich, have been collected Aventini excerpta ex Alberti Bohemi actis et commentariis in Oefelii rerum Boicarum scriptt. i. 785, and Aventini annales Bojorum lib. vii. c. 4 ss. They are used in favor of the Papal cause, in Höfler's Kaiser Frederick II. Munchen, 1844. On the manly firmness of the Bavarian bishops against the intrigues of this turbator totius Bojoariae, see Aventini ann. l. c. (ed. Gundlingii p. 643): *Cuncti fremere, indignari, stomachari coeperunt; hominis (Alberti) temeritatem, cuius vitam ac mores probe nossent, detestabantur.* Omnia tumultu in Germania complentur: *indignissimum facinus praeter fas atque aequum clamitant Romanum incepitare Episcopum.* Conradus Fruxensis Episcopus (of Freisingen) ad Imperatorem provocat, nullum jus Romano flamini absque consensu pontificum Germaniae esse in Germania propalam docet: *suos, inquit, Romanensis sacerdos pascat Italos, nos a Deo constituti canes a nostris ovibus lupos ovina pelle tectos arcebimus.* Eberhard, archbishop of Salzburg, 1241, speaks out most strongly, at a gathering of the Bavarian bishops in Ratisbon (l. c. cap. v. p. 650 s.). Among other charges he says, *Sub Pontificis Max. titulo, pastoris pelle, lupum saevissimum, nisi caeci sumus, sentimus.* Ramani flamines arma in omnes habent Christianos: *audendo, fallendo, et bella ex bellis serendo magni facti, oves trucidant, occidunt: pacem, concordiam terris depellunt: intestina bella, domesticas seditiones ab inferis elicunt: in dies*

France.²⁶ In England the plundering of the churches had raised

magis atque magis omnium vires debilitant, ut omnium capitibus insultent, omnes devorent, universos in servitatem redigant.—Christus inimicos odio habere vetat.—Hildebrandus ante annos centum atque septuaginta primus, specie religionis, Antichristi imperii fundamenta jecit. Hoc bellum nefandum primus auspicatus est, quod per successores hucusque continuatur.—Credite experto, non cessabunt, donec Imperatore in ordinem redacto, Romani Imperii honore soluto, pastoribus veris, qui pascant, oppressis, canibus, qui latrare queant, sublati, per hunc morem omnia extinguant aut occidant. Ideo omnia turbare atque permiscere volunt.—Qui servus servorum est, dominus dominorum, perinde ac si Deus foret, esse cupit.—Ingentia loquitur, quasi vero Deus esset. Nova consilia sub pectore volutat, ut proprium sibi constituat Imperium: leges commutat, suas sancit, contaminat, diripit, spoliat, fraudat, occidit, perditus homo ille, quem Antichristum vocare solent, in cuius fronte contumeliae nomen scriptum est: *Deus sum, errare non possum*, in templo Dei sedet, longe lateque dominatur. The conclusion runs thus: Date operam, Patres consulti, ut a Germania, gente christianissima, caedes, discordiae mala, incendia, crudelia facinora in cives, in patriam patrata, pellantur, pax civilibus armis exacta, concordiae bonis revocetur. Quod tum fiet, si Imperatori Friderico secundo, Caesari augusto, principum christianissimo, a Deo constituto obtemperabimus, et pestem illam atque serpentem (namely Albert) e Bojoaria eliminaverimus. Otto, duke of Bavaria, writes in the beginning of April, 1241 (Alberti de Beham acta in Hofler's Frederick II. s. 131): proximo autumno major pars Episcoporum, laicorum Principum Lombardiam intrabunt in auxilium Friderici. Nos, qui pauci sumus, cogemur desperare. Compare also the contemporary Bruoder Wernher, Minnesinger, collected by F. H. v. d. Hagen (3 Th. Leipzig, 1838. 4), ii. 227:

Gregorie, Babest, geistlicher Vater, wache und brich abe dinem slaf,—
Lamparten gluet in Kezzerheit: warümbe leschestu das niht?
Si schenken dir von Golde ein trank, das dich in sünden lat.
Dem Keiser hilf sin recht behaben,
Das hoehet dich und alle geistlich orden.—
Las zwischen dir und im nicht hasses horden:
So wirt der vrude und der geloube stark, unt nimt niht abe;
So süln wir prüven eine vart vür sunde hin ze Gotes grabe.

²⁶ Matt. Paris ann. 1239, p. 517. In a letter to the king and barons of France, the Pope offers the Imperial crown to Count Robert, the King's brother. They answered: *Quo spiritu vel ausu temerario Papa tantum Principem, quo non est major, imo nec par inter Christianos, non convictum vel confessum de objectis sibi criminibus, exhaeredavit, et ab apice imperiali praecepitavit?* Qui si meritis suis exigentibus deponendus esset, *non nisi per generale Concilium cassandus judicaretur.* De transgressionibus suis non est hostibus suis fides adhibenda, quorum Papa dignoscitur esse capitalis. Nobis adhuc insons, imo bonus fuit vicinus: nec quid sinistri vidimus de eo in fidelitate saeculari, vel fide catholica. Scimus autem, quod domino nostro Jesu Christo fideliter militavit, marienis et bellicis se periculis confidenter opponens. Tantum religionis in Papa non invenimus: immo, qui eum debuit promovisse, et Deo militantem protexisse, eum conatus est absentem confundere et nequiter supplantare.—Sed ne in vacuum papale mandatum videamus suscepisse, licet magis constet hoc ob odium Imperatoris, quam nostri dilectionem ab Ecclesia Romana derivasse; mittemus nuncios prudentes ex nobis ad Imperatorem, qui quomodo de fide catholica sentiat diligenter inquirant, nos super hoc certificatuos. French embassadors actually appeared before the Emperor, to whom he gave assurance of the soundness of his faith: “Non placeat domino meo Jesu Christo, ut unquam recedam a fide magnificorum patrum, et antecessorum, sequens vestigia perditorum. Judicet autem Dominus inter me et ipsum, qui me ita per orbem tam nequiter diffamavit.” Et tendens manus in caelum, lachrymis obortis, singultando exclamavit. “Deus ultionum dominus reddit ei retributionem, etc.” The embassadors went away with a conviction of Frederick's innocence.

the most bitter outcry against Rome:²⁷ and now that (since 1240) the devastating torrent of Mongols was seething on the German frontier, popular indignation was still further roused against the passionate Pope, who detained the Emperor in Italy.²⁸

After Frederick had conquered the whole States of the Church up to the very walls of Rome (1240), Gregory determined, by means of a general council, to make his cause that of the whole Church.²⁹ But Frederick intercepted the prelates hastening to

²⁷ Compare above, note 12. Matth. Paris ad ann. 1234, p. 400: *Ut efficacius (Papae nuncii) thesauros omnium emungerent, et pecuniam quasi ad succursum terrae sanctae undique colligerent,—scripsit dominus Papa omnibus Christi fidelibus in haec verba elegantissima, quae corda hominum lapidea viderentur penetrare, nisi facta humilitati ac justitiae luce clarius adversantia sequerentur.* Next comes the Papal bull for the crusade. Then, p. 402: *Haec cum per Christianorum climata, praeципue per Angliam, Christi fidelibus innotescerent, et praedicatio per Praelatos, maxime vero per fratres Praedicatorum et Minores fieret, quibus data fuit potestas crucesignandi, et votum data pecunia relaxandi, sese multi—cruce signaverunt.* Sed—parvo tempore succedente facta est tanta commutatio, tam multiformis pecuniae exactio; nec sciri poterat, in quam abyssum tanta pecunia—est demersa; quod *fidelium circa negotium crucis tepuit, imo potius charitas refriguit generalis.* Still more after the year 1240. Idem ad ann. 1240, p. 525: At first the Legate publishes that he had full power to absolve from the vow of the Cross, and, indeed, ut tales non solum absolvere, verum etiam ad redimenda vota sua compellere debeamus. Thereupon incepuperunt ipsi Praedicatorum fratres et Minores et alii viri literati, praecipue Theologi, crucesignatos absolvere a voto suo: accepta tamen pecunia, quanta sufficere videbatur unicuique ad viaticum ultramarinum. Et factum est in populo scandalum cum schismate. Absurdum enim videbatur etiam simplicibus, quam diversis muscipulis simplicem Dei populum substantia sua moliebatur Romana curia privare, nihil petens nisi aurum et argentum. Next the Pope demanded from the clergy (p. 526) quintam partem bonorum suorum, quibus suffultus (Papa) injurias tam validi inimici valeret propulsare. After a long struggle, the Archbishop of Canterbury was the first to give in (p. 527); and the rest of the English prelates, seeing this, fell into the same error. But even this was not enough (p. 533): Misit enim Papa, pater noster sanctus, quandam exactorem in Angliam, Petrum Rubeum, qui exegitata muscipulatione infinitam pecuniam a misericordiis Anglicis eductus erat emungere. Intravit enim religiosorum capitula, cogens et seducens eos ad pecuniam promittendam, et promissam persolvendam, exemplo aliorum Praelatorum, quos mentitus asserebat grataanter persolvisse. Dixit enim: ille Episcopus et ille, ille Abbas et ille, jam libens satisfecit: quidnam vos ignavi tam inoramini, ut grates cum muneribus amittatis? Feicit etiam praedictus impostor jurare, ut hoc genus pecuniam extorquendi nulli hominum infra dimidium annum facerent manifestum: quasi eliciens hoc ex singulorum primitiva professione, cum tantum de honestis sit consilium papale celandum. (See below, § 62, note 1.) The deluded men remonstrated before the King, but he abandoned them to the Legate (p. 534): *Ecce domine mihi Legate, isti miseri seductores, pandentes secreta papalia, obloquuntur, voluntati vestrae non adquiescentes: facite de ipsis, quod vobis placet.* Then the Legate tried to move the bishops also to like contributions. At first they sought courteously to decline: then bitter words fell from their lips (p. 535): *Sicut Ecclesia Romana suum habet proprium patrimonium,—similiter et aliae Ecclesiae suum,—quod in nullo est censuale vel tributarium Ecclesiae Romanae.* It is written, indeed: *Quodcumque ligaveris, etc., but not quodcumque exegeris super terram, erit exactum et in caelis.* Nevertheless, Roman craft triumphed at last, by means of its maxim, *Divide et impera.*

²⁸ Raumer, vi. 77 ff. Especially as the Mendicant Friars were even then preaching a crusade against Frederick. Waddingii Annales minorum edit. ii. tom. iii. p. 42.

²⁹ Compare above, note 26. For what follows, Raumer. iv. 94 ff.

Rome in a Genoese fleet, and Gregory died in the midst of his grievances, before he had power to take vengeance († 21st August, 1241).

§ 56.

CELESTINE IV. (23rd SEPTEMBER–8th OCTOBER, 1241.) INNOCENT IV.
(24th JUNE, 1243–7th DECEMBER, 1254.)

Sources: After Richard de S. Germano (see before, § 54) there follow Nicolaus de Jam-silla in 1258, continued by an unknown hand to 1265 (in Muratori rer. Ital. scriptt. T. viii. p. 489 ss.), and Sabae Malaspinae rerum Sicularum libb. vi. ann. 1250–1276 (ibid. p. 781 ss.) Raumer's Gesch. der Hohenst. Bd. 4, s. 106 ff.

After long delay on the side of the Cardinals,¹ Innocent IV. was elected to fill the throne, once more vacated by the speedy death of Celestine IV. He began, indeed, with negotiations for peace with Frederick, which promised at first the wished for result.² But the Pope suddenly escaped to Lyons by the help of the Genoese (1244),³ and there forthwith assembled a General Council (June, 1245), that he might pronounce afresh, with the assent of the Church, the sentence of excommunication and dethronement against Frederick.⁴ Innocent remained steadfast in this decision,

¹ On this delay, and the universal discontent caused thereby, see Raumer, iv. 114 ff. Matth. Paris ann. 1243, p. 602, is worthy of note : *Per idem tempus miserunt Franci solennes nuncios ad curiam Romanam, significantes persuadendo praeceise et efficaciter, ut ipsi Cardinales rite eligentes, universali Ecclesiae solatum pastorale maturius providerent : vel ipsi Franci propter negligentiam eorum de sibi eligendo et providendo summo Pontifice citra montes, cui obderez ternerentur, quantocius contrectarent. Et hoc audacter significabant, confisi de antiquo privilegio suo per s. Clementem b. Dyonsio concesso et obtento, qui concessit apostolatum eidem Dionysio super gentem occidentalem.*

² A treaty very humbling to the Emperor was already drawn up by the Commissioners (in Matth. Paris, p. 629 : among other conditions was this, *subsidiū pro isto excessu faciet in militibus vel pecunia, cuieunque dominus Papa christianitatis, quantumcunque et quale viderit expedire, etc.*), but there was no mention whatever of the difficult affair of the Lombards, and the Pope gave Frederick occasion to say : *si latenti morbo, videlicet de negotio Lombardorum, medicina non esset opposita, pax omnino procedere non valebat.* (Ex. cod. Vatic. in Raumer, iv. 135.) The Emperor did not break the treaty, he only declared, Matth. Paris, p. 636 : *quod nihil faceret de conventis, nisi literis absolutionis prius habitis.* So Frederick could complain with justice to the Cardinals, whom he invited, after the Pope's flight, to a fresh negotiation (see letters in Martene coll. ampliss. ii. 1137), that the Pope, *spreto moderamine pacis, quam offerebamus ex animo, imperceptibiliter ad partes profectus sit ultramontanas, utinam non in scandalum generale !*

³ In vain he sought to obtain reception in Aragon, France, and England, Matth. Paris, p. 655. Anger at this drew from him the characteristic words, ibid. p. 660 : *Expedit, ut componamus cum Principe vestro, ut hos Regulos conteramus recalcitrantes : contrito enim vel pacificato dracone, cito serpentuli conculeabuntur.*

⁴ According to the Romans this is the XIIIth Ecumenical Council, but it is not recognized by the French. The acts are in Matth. Paris, p. 662 ss., and with some addi-

refusing all mediation.⁵ The struggle grew continually fiercer,

tions in Mansi xxiii. 605. The five subjects proposed by the Pope (Matth. Paris, p. 664) were : de inhumanis et feraliter Christianitatem vastantibus Tartaris, pro schismate Romaniae, i. e. Graecae Ecclesiae, pro serpentine novarum haeresium, de terra sancta, and, de Principe, i. e. Imperatore. Nevertheless, all was thrown into the background to make room for the last head. Thaddaeus de Suessâ (Albert. Stadens. ann. 1245 fol. 217 : Imperator pro se nuncios misit, inter quos erat quidam Thaddaeus, doctor legum, qui pro eo elegantissime allegavit, ut plurimorum sibi audienceam conquereret et favorem) came forward and vowed in Frederick's name (Matth. Paris, p. 663), ad unitatem Romaniae Ecclesiae totum Romaniae, i. e. Graeciae imperium revocare : et quod sese Tartaris, et Chorosminis, et Saracenis, et aliis Ecclesiae hostibus et contemtoribus, Christo fideliter militando, potenter opponet : et quod statum terrae discrimini magno et manifesto periculo jam patentem, suis sumptibus propriis personaliter, pro posse suo reformabit : et ablata Romaniae Ecclesiae restituendo de injuris satisfacere. The Pope rejected all, giving as his excuse Frederick's habit of breaking his word. The negotiations were unpleasantly interrupted by a strong letter of remonstrance from the Anglican clergy against Papal oppression (ib. p. 666 ss.), but, dominus Papa non respondit, quia, ut asseruit, tam arduum negotium morosa indiguit deliberatione. Yet he pronounced sentence of excommunication all the more against Frederick (p. 668 ss., the bull is given entire by Schardius in Petri de Vineis epistol. ed. 2. i. 51).—Ut ad praesens de caeteris ejus sceleribus taceamus, quatuor gravissima, quae nulla possunt celari tergiversatione, commisit. *Deserjeravit enim multoties, pacem quondam inter Ecclesiam et Imperium reformatam temere violando.* Perpetravit *sacrilegium*, capi faciendo Cardinales, etc., venientes ad Concilium. —De *haeresi* quoque non dubiis et levibus, sed difficilibus et evidentibus argumentis suspectus habetur. Then follow copious proofs of these four charges ; about his heresy he says as follows : Merito insuper contra eum de haeretica pravitate suspicio est exorta, cum—claves Ecclesiae contemserit—and constanter asseveraverit,—se praefati Gregorii Papae sententias non vereri. Praeterea conjunctus amicitia detestabili Saracenis,—ipsorum ritus amplectitur,—eorundem etiam more uxoribus—eunuchos—non erubuit depudare custodes. Et quod execrabilius est, olim existens in partibus transmarinis, facta compositione quadam—cum Saldano, Machometi nomen in templo Domini diebus ac noctibus publice proclamari permisit. Et nuper nuncios Soldani Babylonie—fecit—honosifice suscipi et magnifice procurari. (Thus there is not one word said of the accusations of 1239, see § 55, note 23, but only of those of 1229, long since atoned for, see § 55, note 10.) Then sentence of excommunication and dethronement was pronounced in a form as hypocritical as it is arrogant : memoratum Principem—suis ligatum peccatis et abjectum, omnique honore ac dignitate privatum a Domino ostendimus, denunciamus, et nihilominus sententiando privamus. At last, with regard to the complaints of the English, decision was given (Matt. Paris, p. 681) “ quod postulata ad votum non reportarent.” Irati igitur nimis procuratores memorati, recesserunt cum comminatione, terribiliter jurantes, se nunquam tributum Romaniae cupiditati omni saeculo detestabili soluturos,—vel amplius reddituum Ecclesiarum—proventus extorqueri non passuros. Veruntamen dominus Papa animo patienti et oculis conniventibus haec omnia dissimulando pertransiens, tempus rigidius agendi, respirante prosperitate, tacitus expectavit.

⁵ Lewis IX., to whom Frederick had intrusted the mediation of peace (see Pertz, iv. 355), during an interview with the Pope, about Easter 1246, at Cluny (for the Pope was not allowed to advance farther into France, Matth. Paris, p. 683), wasted on him the most moving arguments (Matth. Paris, p. 697) : Quod cum dominus Papa erecta et rejecta ceruice refutasset, dominus Rex Francorum recessit iratus et indignans, eo quod humilitatem, quam speraverat, in servo servorum Dei minime reperisset.—It happened, at the same time, that Frederick even submitted himself to a trial of the soundness of his faith before the Archbishop of Palermo and several other divines, and sent the result to Lyons. Upon this, Innocent, on the 23d of May, announced to all believers (Raynald. ad h. a. no. 18 ss.), quod hujusmodi examinatio fuerat per magnae praesumptionis audaciam—attentata ; nec

and was waged on both sides with increasing desperation.⁶ In Sicily the Pope contrived to raise a rebellion at the beginning of the year 1246, which however was soon quelled.⁷ In Germany he stirred up Henry Raspe, landgrave of Thuringia, to set himself up as priests' King, in opposition to Frederick (May, 1246).⁸ But erat praefatis instrumento et literis, cum in eis et bulla ipsa diceretur idem Fridericus Imperator et Rex per quod dictus scrinarius, sic ei favendo, vinculum excommunicacionis incurrerat, fides aliquatenus adhibenda.

⁶ Even Frederick now dismissed all thought of peace. When he heard the sentence of Lyons, he said (Matth. Paris, p. 679) : “In hoc tamen conditio mea melioratur : in aliquo tenebar illi obediare, saltem venerari. Nunc autem ab amore et veneratione, nec non et ab omnimodae pacis absolvor adversus Papam obligatione.” Ex tunc igitur efficacius et vigilantius, ut dominum Papam gravaret, in thesauris, consanguineis et amicis ejus damna et injurias irrogavit. At that time, also, he issued a letter to the Kings of France and England (ibid. p. 680) full of heavy complaints of sacerdotal pride, of which the excessive bounty of laymen was one cause, and concludes thus : Nec vobis, petimus, videatur, quod per latam in nos sententiam papalem nostrae magnitudinis majestas aliquatenus incurvetur. Habemus enim conscientiae puritatem, ac per consequens, Deum nobiscum, cuius testimonium invocamus. Quia semper fuit nostrae intentio voluntatis, clericos cujusque ordinis ad hoc inducere, et maxime maximos, ut tales perseverarent in fine, quales fuerunt in Ecclesia primitiva, apostolicam vitam ducentes, humilitatem dominicam imitantes. Tales namque clerici solebant Angelos intueri, miraculis coruscare, aegros curare, mortuos suscitare, et sanctitate, non armis, sibi Reges et Principes subjugare. At isti, saeculo dediti, delitiis inebrati, Dominum postponunt, quorum ex affluentia divitiarum et opum omnis religio suffocatur. Talibus ergo subtrahere nocentes divitias, quibus damabiliter onerantur, opus est charitatis. Ad hoc vos et omnes Principes una nobiscum, ut cuncta superflua deponentes, modicis rebus contenti, Deo deserviant, debetis diligentiam adhibere. However, the age could not bear such doctrine as this. Matth. Paris proceeds, p. 681 : de haeresi per idipsum se reddens suspectum, merito omnem, quem hactenus habebat in omni populo igniculum famae propriae prudentiae et sapientiae, impudenter et imprudenter extinxit atque delevit.—Ac per hoc domini Papae conditio meliorata respiravit. This alone troubled the princes, lest, after Frederick's overthrow, Romana Ecclesia, gratia Dei abutens, in posterum in tantam elationem et intolerabilem superbiam sublevaretur, quod Principes catholicos insolentes et justos, et praecipue Praelatos, quavis levi causa vel deponeret, vel deponere probrose comminaretur : loquendoque sublimia, gloriandoque dicerent Romani, licet a plebeja stirpe procreati : Nos ipsum—Fridericum conculeavimus, et quis es tu, qui nobis temere credis resistere ? *Et ita provocati nobiliores contra eos levabunt calcaneum, Deoque vindice auctoritas Romana poterit depere.* On Frederick's strong measures to assure himself of the fidelity of his clergy, his taxing them, and his banishment of the mendicant orders, see Raumer, iv. 189.

⁷ Compare the Pope's summons to all Sicilians 26th April, 1246 (Raynald. ad h. a. no. 11 ss.) : universitatem vestram per Dei misericordiam obsecramus, et in remissionem vobis in jungimus peccatorum, quatenus nobis et fratribus nostris super afflictione vestragementibus festinam super eo praebatiam laetitiam, quod damnat hominis abdicato dominio, cui penitus in nullo tenemini, per nos a juramento fidelitatis totaliter absoluti, ad gremium s. Romanae Ecclesiae matris vestrae, cuius estis speciales filii, cessantibus quibuscumque diffugiis redatis : praesertim cum nos—duos legatos solennes—hujusmodi promotioni negotii duximus deputandos, concessso eis plenae legationis officio, etc. New documents on the Pope's proceedings against Sicily are to be found in Hofler's Kaiser Frederick II. s. 373. Comp. 261.

⁸ Albertus Stadensis fol. 218. Anno 1245 :—Qua sententia [Papae] per mundum volante, quidam Principum cum multis aliis reclamabant, dicentes, ad Papam non pertinere, Imperatorem vel instituere vel destituere, sed electum a Principibus coronare. Interea Papa sollicitari fecit Principes, quos ad Imperium regendum creditit idoneos, ut

the great temporal princes remained true to him, Henry quickly fell before King Conrad, and after his death († 17th Feb. 1247), Frederick's ascendancy in Germany was so decisive,⁹ that the Pope could find no one to accept the crown put up by him for public competition, except William, count of Holland (Oct. 1247), and for him he was obliged to purchase adherents with money.

Then died Frederick († 13th December, 1250).¹¹ But not the death of the individual, nothing less than the destruction of the whole family, could satisfy Papal vengeance :¹² the war was con-

aliquis eorum onus Imperii sumeret et laborem, promittens ei, quicunque Imperium assumeret, consilium et auxilium pariter et favorem. Tandem Heinricus Lantgravius, cognomento Raspe, multis evictus precibus Imperium accepit (the Papal command to the Princes to elect him is in Pertz, iv. 361). Anno Dom. 1246, Henricus Lantgravius Turiniae juxta Herbipolin in Ascensione Domini a Moguntino et Coloniensi et quibusdam Principibus in Regem eligitur, et subito crux contra omnes infideles a Moguntino solenniter praedicatur (the Papal order for this is found in Höfler, s. 374), et omnis illa Principum et nobilium collectio crucis charactere insignitur. The Pope charged the Minorites (22d April, 1246, in Wadding ann. Minorum ed. 2. iii. 145), quatenus Christifideles per Teutoniam constitutos—tam in occulto, quam in publico inducatis, in remissionem ipsis peccatum injungentes, ut ei, qui electus fuerit, fideliter et efficaciter intendant, ac assistant viriliter et constanter. First of all the Pope must send money for the war, Matth. Paris, p. 704, and as Frederick had blocked up the approach, fecit Papa per Praedicatorum et Minorum mutato habitu tam scripta consolatoria, quam alia juvamenta ad Landgravium transvehi. Idem, p. 706. Especially must inexhaustible England again furnish supplies. Idem, p. 707 ss. 715 ss., but now there began also a like plundering of the German Church (see Raumer, iv. 235), and even of the French. St. Lewis, about the year 1246, remonstrates with the Pope (see Gravamina Eccl. Gallicanae, below, § 62, note 26), that his Legates demanded military supplies even from the clergy against the Emperor, and reminded him of the saying of Christ : si persecuti fuerint vos in unam civitatem, fugite in aliam. Further : Magnum et novum subsidium modo petitis ab Ecclesiis per fratres minores, qui modo discurrunt per totum Regnum, et intolerabiliter gravant Ecclesias multis modis et diversis. Some of them had announced to the church of Burgundy : Praecipi-
mus vobis ex parte domini Papae septimam partem omnium ecclesiasticorum proventuum vestrorum, alioquin excommunicamus vos. Et si aliqui contradixerint, privamus eos omnibus beneficiis suis.—In aliquibus etiam Ecclesiis ponebant etiam simili modo quintam. Praecipiunt etiam Episcopis, ut Ecclesiis suarum Diocesium, tam parochianis quam aliis, imponant certam summam pecuniae, quam eis exprimunt, et praecipiunt eis, ut subditos suos compellant per poenam excommunicationis ad solvendam summam illam.

⁹ Raumer, iv. 220.

¹⁰ Raumer, iv. 243. Höfler, s. 250.

¹¹ Consistent even in his death. In his will (found entire in Pertz, iv. 356) he decrees, p. 359 : ut sacrosanctae Romanae Ecclesiae, matri nostrae, restituantur omnia jura sua salvis in omnibus et per omnia jure et honore Imperii, heredium nostrorum, et aliorum fidelium, si ipsa Ecclesia restituant jura Imperii.

¹² Innocentii ep. ad Suevos in Raynald. 1251, no. 6: Herode (Frederick II.) sublato, qui Christi animam in animabus fidelium perdere nitebatur, haereditario jure paternae tyrannidis principatum alter sibi vindicat Archelaus (Konrad). Propter quod adhuc matrem oportet Ecclesiam devotorum suorum praecavere periculis, ac dextram protectionis extendere in filiorum praesidium contra eos, qui adversus Dominum et adversus Christum ejus in sua superbia eriguntur. Hinc—universitatem vestram volumus esse certam, quod quondam Fridirici, qui olim pro Imperatore se gessit, soboles, nobis ac vobis merito de paternae perfidiae haereditaria imaginatione suspecta, et traductae ab avis et proavis

tinued against King Conrad with redoubled energy.¹³ While in Germany the opposition to William undoubtedly lessened withal the consideration with which men regarded the feeble kingdom propped up by the Pope alone;¹⁴ Innocent hurried back from Lyons

saevae tyrannidis aemulatrix, numquam ad Romanum regnum vel imperium, aut Sueviae principatum consurget ex permissione sedis apostolicae aut favore. The Pope appears in a yet more contemptible light in the story which Matth. Paris tells, ann. 1252: Cum Innocentius IV. neptes suas fastigiose nimis et sumptuose maritasset, apposuit adhuc, ut suam partem magis roboret, unam neptem suam Henrico, filio Friderici, nepoti scilicet Regis Angliae (son of Frederick and Isabella, a sister of Henry III.), matrimonialiter copulare, ut idem Heinricus fieret quasi filius Papae adoptivus, et sub alis Ecclesiae protectus, et a sententia, qua innodabatur, penitus absolutus, summa pace gratularetur. Quod cum magnates Imperii audirent, maximam conceperunt indignationem, eo quod præsumeret Papa tam nobilem tamque generosum adolescentem ignobilitare.

¹³ Raumer, iv. 319. Once again Innocent rouses the mendicant friars. See his letter to the Dominican de Eyka, 5th February, 1251 (Raynald. ad h. a. no. 11). Praedicationem crucis contra Conradum—suosque fautores, persecutores Ecclesiae, per totum Regnum Alemanniae tibi duximus auctoritate apostolica committendam: exequendi praedicationem hujusmodi per te, vel per alios, quos ad eam idoneos esse cognoveris; largiendi etiam cruce-signatis ob causam hujusmodi, et concedendi privilegia et indulgentias, quae cruce-signatis in terrae sanctae subsidium transfretantibus conceduntur; nec non remissionem XL. dierum iis, qui ad tuam super hoc praedicationem, vel illorum, quibus eam commiseris, accesserint audiendam; illosque nihilominus censura ecclesiastica compescendi, qui super iis vos forte praesumpserint impedire, concessa vobis auctoritate praesentium plenaria potestate. The Minorite Joannes de Dist. 10th February, 1251, received a similar charge, in illis partibus Flandriae in quibus esse dicitur in generali usu Teutonicum idioma (Wadding. ann. Minor. iii. 246). Matth. Paris ann. 1251, p. 826 s., even relates: Dominus Papa—fecit indici praedicationem solennem et communem in partibus Brabantiae et Flandriae, ut fideles Christi castra infidelis Conradi hostiliter impugnarent, statuens retributionem mirabilem, scilicet omnium peccatorum remissionem, ampliore videlicet, quam pro peregrinatione in terram sanctam facienda. Nam si quis contra Conradum signaretur, signatus et signati pater et mater omnium peccatorum suorum veniam consequerentur. Only in France these preachings of the Crusade were not allowed, and Queen Blanch, who held the regency in the absence of Lewis, had even caused the estates of those who took the cross to be confiscated, with the words: Qui Papae militant, de papalibus sustineantur, et eant irredituri.

¹⁴ Especially since William invited the Pope's confirmation of the decrees of his Diet held at Frankfort (1st July, 1252). This begins at once (ap. Raynald. ad. h. a. no. 17): Dignum est, sententias, quae solenniter regio promulgantur oraculo, ut illibatae permaneant, apostolicae firmitatis patrocinio non carere, etc. In July, 1253, the Pope decided even on the question of the Austrian succession, in favor of Ottokar of Bohemia and his wife Margaret, and calls himself in the deed (in Wurdwein nova subsidia diplom. ix. 36), Vicegerent of the true God in this world, and President of the Universal Republic, quite in the spirit of Gerhohus (see above, § 54, note 1). How disorders of all kinds had gained ground in Germany, see Schlosser, III. ii. ii. 142. At that time sang Master Siegbert (v. d. Hagens Minnesinger, ii. 361):

Des Keisers wal stuont gar schône,
Dó sin Künige pfâgen ô (vordem):
Nu pflegent sín welhische Pfaffen,
Die vervendern (verkaufen) segen unt den touf.—
Als der Tocken spilt der Walch (Walsche) mit tiutschen vürsten:
Er sezzen si úf, er sezzen si abe:
Nách der habe (je nachdem sie etwas haben)
Wirfet er si hin unt her, als einen bal.

to Italy (1251),¹⁵ in order to win Sicily. But Conrad also immediately after left distracted Germany to take possession of his ancestral kingdom, which had been maintained for him by his gallant half-brother, Manfred.¹⁶ The Pope proffered in vain the Sicilian crown, and at length presented it to the English Prince Edmund (March, 1254):¹⁷ until death, which so often came to the advantage of the Popes, carried away Conrad also (21st May, 1254).¹⁸ When the Pope engaged to respect the rights of Conrado, then but two years old,¹⁹ Manfred, as his guardian, put himself under his protection (September, 1254),²⁰ and Innocent took

¹⁵ Characteristic of the morals of the Papal court at this time are the following words from the parting address of Cardinal Hugo to the inhabitants of Lyons in Matth. Paris, p. 819: *Amici, magnam fecimus, postquam in hanc urbem venimus, utilitatem et elemosynam. Quando enim primo hue venimus, tria vel quatuor prostibula invenimus. Sed nunc recedentes unum solum relinquimus. Verum ipsum durat continuatum ab orientali porta civitatis usque ad occidentalem.*

¹⁶ Raumer, iv. 327.

¹⁷ He first offered it to Richard, duke of Cornwall, 1252 (Matth. Paris, p. 856, 861, the *Bullis* in Rymer's *fœdera ed.* Clarke, I. i. 284); he, however, made conditions with the Pope, and at last declared (Matth. Paris, p. 892): *idem est, ac si quis diceret: vendo vel do tibi lunam, ascende et apprehende eam.* Then to Charles, count of Anjou (Rayn. 1253, no. 2 ss.). At last (Matth. Paris, 1254, p. 892) the Pope betook himself to Henry III., king of England, *ut simplicitatem ejus circumveniret, quoniam sciebat semper ad damna propria pronum et credulum, obtulit et concessit ei regnum Siciliae et Apuliae.* Rex autem de promisso papali umbratili adeo exhilaratus est, et adeo dilatatum est eorū suum inani gaudio, quod voce, gestu et risu exultationem protestans, filium suum Edmundum Regem Siciliae palam vocaret, credens pro facto se jam de ipso regno subarratum.—Rex igitur quicquid de thesauro suo, quicquid de scaccario (Exchequer) quicquid mutuo potuit a fratre suo Comite Richardo recipere, quidque poterat a Judaeis abradere, quicquid de rapinis Justiciorum itinerantium valuit extorquere, misit Papae, ut Conradum impugnaret, et omnes suos Siculos et Apulos expugnaret. — With this the Pope hired troops, et copiose sterlings distribuit, et cum defecissent, significavit Regi, quod defuit illi pecunia. Rex autem instinctu diaboli et avaritiae, rescribens Papae, mittebat ei literas patentes obligatorias, regio sigillo consignatas, ut sufficienter, imo abundanter mutuo caperet a mercatoribus Italiciis.—Papa autem his omnibus consentiens, hoc mandatum acceptavit: *si bene fecerit, judicet Judex omnium judiciorum Dominus, cui cura est de omnibus, non autem meum est, facta papalia judicare.* The deed of gift to Edmund, dated 6th March, 1254, is in Rymer-Clarke, i. i. 297. Next, ibid. p. 301, follows a charge to the English bishops, quatenus ad requisitionem Regis—recipiatis—pecuniam mutuo, quantumcunque poteritis invenire; Ecclesias ipsas universas et singulas—obligantes.

¹⁸ Raumer, iv. 347.

¹⁹ Innocentius universis Christi fidelibus (Raynald. 1254, no. 46): *nos circa carissimum in Christo filium nostrum Conradum Regem Hierosolymitanum, illustrem Duxem Sueviae,—apostolicæ benevolentiae gratiam effundentes,—regnum Hierosolymitanum, et ducatum Sueviae, et alia jura sua, ubique illa, sive in regno Siciliae, sive alibi habeat, integra et illaesa sibi—volumus conservare: et permittimus, quod universi de ipso regno Siciliae in serie juramenti fidelitatis, quod nobis et Ecclesiac Romanae praestabunt, possint adjicere: *Conradi pueri jure salvo.**

²⁰ Innocent invested him, dd. 27th September, 1254 (Raynaldus ad h. a. no. 57 ss.), with the dukedom of Tarento and several earldoms, and indeed, ita quod—tu et idem haeres des immediate a Romana Ecclesia, nullum alium praeter ipsam recognoscendo in iis supe-

possession of the kingdom. However, it was soon discovered that the Pope entertained other designs;²¹ and now Manfred stepped forth again into the lists in behalf of the rights of the Hohenstaufen. Apulia was quickly conquered by him; and Innocent only escaped by death from another war († 13th December, 1254).²²

While the energies of the Western World were scattered by the contests with the Mongols, in the Latin Empire at Constantinople, and in the Papal warfares, its enthusiasm for Palestine was also cooling; so that the kingdom of Jerusalem could receive little aid from this quarter, when it was hard pressed again by the Karismian Turks in the service of the Sultan of Egypt, who soon conquered the principal part of it, together with the capital city (1247). Only the pious Louis IX. took the Cross (1248, Sixth Crusade).²³ He thought to conquer Palestine, in Egypt; he even

riorem vel dominum, teneatis perpetuo; and named him (ib. no. 60) Governor of the land on this side the strait, ita quod vicaram hujusmodi immediate ab apostolica sede recognoscas et teneas.

²¹ Notwithstanding his acknowledgment of Conradi's right (note 19), and the surrender to Manfred (note 20), he had confirmed the grant to the English Prince Edmund, 9th June, 1254 (Rymer-Clarke, i. i. 304), and wished at last to take possession of the kingdom in person. Raumer, iv. 359.

²² The opinion of the age on this Pope expresses itself in the dream of a Cardinal, which Matthew Paris, p. 897, relates. The Church accuses the Pope before the throne of the Godhead: Accuso eum super tribus. Primo cum in terris Ecclesiam fundasses, libertatibus eam donasti, quae a te ipso processerunt: hic vero eam reddidit ancillam vilissimam. Secundo fundata est Ecclesia salus peccatorum, ut scilicet lucrifaceret animos miserorum: hic vero fecit eam mensam nummulariorum. Tertio fundata est Ecclesia in fidei firmitate, justitia et veritate: hic vero fidem et mores fecit vacillare, justitiam sustulit, veritatem obumbravit: justum ergo judicium redde mihi.

²³ Wilken, vii. 15. Even now there are scattered voices of the Troubadours. Lanfranc Cigala (Millot, ii. 158, comp. Diez, Leben u. Werke der Troubadours, Zwickau, 1829, s. 569) warmly encourages men to take the Cross. Je ne regarde point comme chevalier, quiconque ne va de bon coeur et de tout son pouvoir *au secours de Dieu, qui en a si grand besoin*.—Croyez-vous, méchans barons, qu'il convienne, que *Dieu vous aide, et qui vous ne l'aidez pas?* On the other hand, Sordel excuses himself to Charles of Anjou (l. c. p. 98): Seigneur comte, vous ne devez point exiger, que j'aille chercher la mort.—Par la mer tout le monde gagne son salut. Mais moi je ne suis point pressé de me sauver: je veux arriver le plus tard qu'il sera possible à la vie éternelle: ainsi je ne m'embarquerai de ma vie. A few years later is the Sirvente of the Templar (original in Raynouard, iv. 131, Diez s. 588), where it is written: God has sworn and assured us that no one who believes on Jesus Christ shall remain there. He will rather make of the minister of S. Mary (the Templars' church in Jerusalem) a mosque (basomairia); and if this is pleasing to His Son, who might be expected to be grieved at it, so should it also be pleasing to us. So he is foolish who fights with the Turks, when Jesus Christ is not against them.—God, who used to wake, sleeps now, yet Mohammed (Basomet) works with all his might, and lets Melicadeser work (probably this is Malek al Kamel, sultan of Egypt, Malek al Adel's son). The Pope richly endows the Arelatese and French with indulgences, in their war against the Germans. But here with us the Legates show great avarice; for our crosses give way to Tourneser-creuzers (a coin). and whosoever will, exchanges his

took Damietta (1249); but on his further advance was taken prisoner (1250), and returned (1254) with a small remnant of his army to France.²⁴

§ 57.

ALEXANDER IV. (25TH DECEMBER, 1254–25TH MAY, 1261.) URBAN IV. (29TH AUGUST, 1261–2D OCTOBER, 1264.) CLEMENT IV. (5TH FEBRUARY, 1265–29TH NOVEMBER, 1268.)

Sources: Jamsilla and Malaspina (see at the head of § 56). Raumer, iv. 376.

Alexander IV.,¹ although he almost exhausted England,² could not hinder Manfred, who was chiefly supported by his brave and faithful Saracens, from subduing the whole kingdom of Sicily, and afterward ascending the throne in person (1258).³ The Pope's ban had so little effect in Sicily, that the new King even overran the States of the Church (1259), and, now that the English re-

pilgrimage for the war in Lombardy; therefore I tell you in good earnest, they are selling God and His pardon for money.

²⁴ Schlosser, III. ii. 1, 167. Raumer, iv. 282.

¹ According to Matth. Paris, p. 897: *Vir, ut ajunt, satis benignus et bene religiosus, assiduus in orationibus, in abstinentia strenuus; sed sibilis adulantium seducibilis, et pravis avarorum suggestionibus inclinatus.*—Scripsit autem in principio creationis suae cunctis Ecclesiarum Praelatis, postulans humiliter, ut orarent pro ipso, ut Dominus daret ei potestatem, gratiam et voluntatem, Ecclesiam Dei congrue gubernare, et vicarius Dei et Petri successor competenter appellari. In quo facto novo (alii enim ejus successores nil tale fecerunt) multorum corda in spem erexit meliorem. Veruntamen a collateralibus fratribus suis decipi cito se permisit ejus simplicitas.

² Alexander confirmed the grant of his predecessor to Edmund upon hard conditions (the Bull, dated 9th April, 1255, is in Rymer. ed. Clarke I. i. 316). Two thousand ounces of good and pure gold were to be paid annually as quit rent. King Henry was to pay all the expenses of the Church incurred hitherto in the matter of Sicily, which were estimated at 135,541 pounds sterling, and besides 20,000 pounds sterling of his royal bounty to the Pope and Cardinals: ac insuper de damnis, expensis et interesse, ac aliis, quae hac occasione intervenient, plenam satisfactionem impendet. Lastly, within a year's time he was to send a general with an army sufficient to conquer the land. Now began new extortions. Vast sums were taken up in the name of English prelates with Italian bankers (Matth. Paris, p. 910). Master Rustandus legista appeared as Papal Legate. He preached a crusade against Manfred, and sought for money. Thus he closed a sermon with the words: *Estote filii obedientiae, obligamini tali et tali mercatori in tanta pecuniae quantitate* (ib. p. 914), and so forth.

³ He opened his mind on this point in the following manner, to an embassy sent by Conradin's mother (see the contemporary Matthaei Spinelli ephemerides Neapol. in Murerator script. rer. It. vii. 1088): *Regnum orphano isti perditum fuisse, se autem illud manu armata vindicasse a potestate duorum Pontificum,—Papam vero et regnieolas nullo modo consensuros unquam, ut dominarentur Teutonici; se tamen aliud non praetendere, quam ut sibi relinquatur Regnum ad vitam, morte sua redditum ad Conradinum; Regnum porro recte facturam, mittendo filium educandum istie, et moribus Itallicis imbendum. habendumque a Rege filii loco.*

sources were exhausted,⁴ compelled the Pope to make proposals for peace (1260).⁵ Manfred was obliged to refuse these as extravagant, and immediately after gained the ascendancy in Tuscany also.

Alexander was more fortunate in Germany, which fell a prey to him because of its internal dissensions. After King William's death († 1256), the choice, from which Papal fear and vengeance excluded the young Conrad from the first,⁶ was undecided between Richard of Cornwall and Alphonso the Wise, king of Castile.⁷ The Germans were already accustomed to look for decision from the Pontiff:⁸ Alexander at first prudently delayed, but afterward inclined to Richard (1259), who had taken possession.⁹

⁴ On the troubles caused in England since the year 1258 by the pressure for money, see Schlosser, III. ii. ii. 288.

⁵ Matth. Spinellus I. c. p. 1096: *The proposal was, quod Papa vellet in pacis conditionem adduci, ut Rex Manfredus bona erupta Regno egressis redderet, et a Regno expelleret Saracenos.* Rex autem Manfredus respondit, *quod duplo plures accersere vellet: itaque fecit.*

⁶ Alex. epist. ad Archiep. Maguntin. dd. V. Kal. Aug. 1256 (ap. Raynald. ad h. a. no. 3 ss. Leibnitii cod. jur. gent. diplom. Prodr. p. 10 ss.).—Nam in hoc pravo genere patrum in filios cum sanguine derivata malitia, sicut carnis propagatione, sic imitatione operum nati genitoribus successerunt. Ex quo liquido perpendi potest et conjici, si ex ipso aliqua potestatis reliquiae remanserunt, quid sperandum sit in futurum de illis, quid in posterum exspectandum: vita namque ac gesta praedecessorum perversa iniquitatem praenuntiant successoris, nec horribilis et scelestia illorum memoria quicquam boni de ipsorum posteritate credere vel sperare permittit: de colubro quidem egreditur regulus, et arbor mala noxios fructus profert, etc.—Ideoque fraternitatem tuam monemus, rogamus, et hortamur attente, ac per apostolica tibi scripta in virtute obedientiae sub debito fidelitatis, quo nobis et Ecclesiae Romanae teneris, ac sub poena excommunicationis, quam ex nunc in te proferimus, districto praecipiendo mandamus, quatenus praefatum Conradum puerum nullatenus in Regem eligas, nec nomines, neque consentias in eundem, etc.

⁷ G. Chr. Gebauer's Leben und denkwürdige Thaten Herrn Richards erwählten röm. Kaisers, Leipzig, 1744. 4. The documents of the contract between Richard and Conrad, archbishop of Cologne, on the election of the former, may be seen in F. J. Bodmann codex epistolaris Rudolfi I. Lips. 1806, p. 306 ss.

⁸ Richard had to give a written and attested promise to the cities of Frankfort (Gebauer s. 352). Oppenheim (s. 136), Wesslar (s. 356), and Friedberg (s. 358): *si forte a sanctissimo Patre nostro domino summo Pontifice fuerinus, quod absit, per diffinitivam sententiam reprobati, et alias Rex contra Nos eligatur, qui ad obtentum regni et imperii Romani nobis potior sit in jure, dictusque summus Pontifex praenominatos cives et alias fideles nostros, ad avertendum eos a fidei nostrae cultu per sententiam interdicti et excommunicationis arctaverit, nos ipsos ex tunc a fidelitatis nobis praestito juramento et ab omni promisso—dimitteremus.*

⁹ Alex. epist. ad Ricardum dd. XI. Kal. Maii, 1259 (in Rymer-Clarke I. i. 382. Gebauer s. 156).—Considerantes etiam quod semper fuisti Ecclesiarum amator praecipuus, etc.—attendentes insuper, quod circa personam tuam inclytam—est ad unctionem et coronationem etiam jam processum; nostrum ad te totaliter direximus animum, firmo intendentes proposito,—tuae promotioni frequenter intendere, atque ad omne bonum tuum impendere opem et operam efficacem. Et ecce dilectum filium, fratrem Walterum de Rogat—

Nevertheless, Urban IV. regarded the German question as still undecided,¹⁰ and repeatedly summoned the two candidates before his throne, without, in the mean while, pronouncing any decision.¹¹

But Urban's principal aim, for he disdained reconciliation, was the annihilation of Manfred.¹² When England could pay no more, he offered the Sicilian crown to Charles, count of Anjou: although his more upright brother, St. Lewis, strongly disapproved of the transaction,¹³ he came to an agreement with him as to condi-

ad regimen Alemanniae in favorem tuum duximus specialiter destinandum, universis praedicti Imperii Principibus—tibi adhaerentibus et non adhaerentibus mandantes,—ut adhaerentes constantem in tua fidelitate persistant, et non adhaerentes tibi studeant adhaerere firmiter, etc. The Legate would say more to him; and, ut cautius et melius ad optatum perducantur effectum, secretum apud te, nemini revelando, teneas illa; quia, si secus fieret, plurimum negotio deperiret.

¹⁰ The party of the Hohenstaufen family was still strong in Germany. The Pope had heard from the King of Bohemia (see Urban. epist. ad Reg. Bohem. dd. iii. Non. Jun. 1262, in Raynald. ad h. a. no. 5 ss.), qualiter etiam in illis partibus vulgaris rumor insonuit, quod nonnullorum ex praedictis Principibus (ad quos Romani Regis spectat electio) ad hoc tendit intentio, ut videlicet Conradus puer—ad Romani culmen Imperii sublimetur. Thereupon he renewed the prohibition of his predecessor (see note 6). With regard to the two candidates for the throne, he decided, in a bull addressed to the Cardinals, dd. vii. Id. August, 1263 (in Raynald. ad h. a. no. 40): cum tam memoratus Comes, quam praefatus Rex electi fuerint, nos veritatem sequentes, sine alterutrius partis praejudicio utrumque ipsorum decrevimus in nostris literis nominandum in Romanorum Regem electum. Alexander's letter (note 9) was easily set aside, cum sint literae placentia quaesum, ne dicam adulatoria, non diffinitionem aliquam continent. In the letter to Richard dd. ii. Kal. Septembri, 1263 (the same, no. 43 ss.) he writes otherwise: et licet idem praedecessor tibi favorem circa prerogativam alicujus intitulationis impenderit, non tamen nos decuit facilitate praecepiti sequi hujusmodi processum praedecessoris ejusdem, quem fratrem nostrorum—communis et decisiva collatio non praecessit.

¹¹ Gebauer, s. 213 ff. On this point the Troubadour Bertrand d'Alamanon (Millot, i. 397). Original in Raynouard, v. 72), thus speaks his mind: C'est le Pape, qui règne, qui possède l'empire: car il en tire plus de revenu,—que n'en pourroit tirer l'Empereur. Il ne cherche qu'à fomenter les troubles. Ce procès ne sera point jugé. Mais puisque les Rois le veulent terminer avec les armes, qu'ils se mettent chacun en campagne; que l'un des partis remporte la victoire. Alors les décrétales n'arrêteront plus, et l'on fera bien parler le Pape. Le vainqueur sera appellé fils de Dieu, sera couronné par le clergé. Tel est l'usage des gens d'église, quand ils trouvent un Empereur puissant, de se soumettre humblement à ses ordres, et de l'accabler, quand ils le voient décheoir.

¹² Sabae Malaspinae lib. ii. c. 7 (in Murat. viii. 806 s.). After the negotiations with Charles of Anjou were already begun, Urban caused Manfred to be summoned for form's sake; and he sent ambassadors. But their allegations pro Rege idem summus Pontifex non admisit: quia, dum Ecclesia voluit,—Rex praedictus ipsius Ecclesiae beneplacita parvipendit, nec annuit postulatis. Cum autem postmodum visus est velle sub exquisitis cum omni diligentia pactis sedis ejusdem se subjicere voluntati, ejus humilitatem tunc repudiavit—Ecclesia.—Sicque ipsum Regem,—tanquam jam praescitum ad malum, summus Pontifex excommunicationis vinculo innodavit.

¹³ Compare Urban's letter to his Legate in France, Magister Albertus (ap. Raynald. ann. 1262, no. 21): Tuas nuper receperimus literas inter caetera continent, quod clarissi-

tions,¹⁴ and declared Edmund's claim forfeited.¹⁵ However, Manfred came forth to meet his new antagonist; and the greatest part of the Estates of the Church was in the King's power,¹⁶ when the Pope died († 2d October, 1264).

Clement IV. at last reaped the sweet as well as the bitter fruits which his predecessors had sown. Charles arrived at Rome (in

mus in Christo filius noster Rex Francorum illustris, verbis proculdubio subdolis aliquorum, intendentium, ipsum avertere a negotio, ad quod cum ipso tractandum te misimus, aures credulitatis inclinans: et corundem fingentium, Conradinum,—vel si dictus Conradinus, ut eorum verbis utamur, a suo jure cecidit, nobilem virum Edmundum—per concessionem sedis apostolicae in regno Siciliae jus habere, suggestionibus informatus—dubitatis, nec immerito, si veritas praemissis adesset, non sine multorum, ut asserit, scandalo jus invadere alienum.—Verum illam debet idem Francorum Rex de nobis et fratribus nostris cepisse fiduciam,—quod ipsum tamquam praedilectum, et Romanae Ecclesiac filium —ea dilectionis singularitate prosequimur, quod nec personam aut terram periculis ingere, nec famam scandalum aut detractioni subjicere, nec animam suam, cuius nobis licet immeritis curam novimus esse commissam, salutis vellemus discriminis subjacere: quodque nos et fratres ipsi sic nostras intendimus conscientias divinas majestatis virtute praecambula mundas Domino conservare,—quod in praedictorum Conradini et Edmundi, vel alterius cuiusdam praejudicium cum conscientiarum scrupulo [et] divini offensa numinis nullo modo aliquid faceremus. However, Lewis' aversion to the cause continued, see below, note 18.

¹⁴ The first outline of the Papal conditions, 23d March, 1262, is in Muratorii antiquit. Ital. med. avi vi. 105, a second dated 17th June, 1263, in Martene et Durand thesaur. nov. anecdotorum ii. 9. On the other hand, on 28th July, 1263, the Pope promised the count tithes of all ecclesiastical revenues in France and the kingdom of Arles: farther still, faciamus verbum crucis proponi contra Manfredum—et Saracenos Luceriae per omnes terras,—in quibus verbum hujusmodi poterit secure proponi: illamque indulgentiam, ac illa privilegia et illas immunitates his, qui contra Manfredum et Saracenos praedictos signum crucis assumserint, largiamur, quae transfretantibus in terrae sanctae subventionem in generali concilio sunt concessa. Demus etiam dicto Comiti omnes redemtiones votorum personarum illarum, quae signum crucis in subsidium dicti negotii duxerint assumendum, et redimere voluerint hujusmodi vota sua. At last he offers the protection of the Church for Charles's lands, and so forth. In January, 1264, the Pope consented to some modifications of the treaty at the request of Charles: see the three letters ad Albertum sedis apost. notarium in Martene l. c. p. 33 ss.

¹⁵ Urbani epist. ad Henr. Regem et nobilem virum Eadmundum dd. 28. Jul. 1263 (in Rymer-Clarke, I. i. 428):—Quia ergo liberum est nobis et ipsi Ecclesiae, de praedicto regno Siciliae disponere,—cum conditiones, sub quibus regnum ipsum a praefato praedecessore concessum extitit, adimpleteae non fuerint, sicut nostis; nos—magnificentiam vestram—rogandam duximus attentius et hortandam, in remissionem vobis peccaminum nihilominus injungentes, quatenus—nullum deinceps nobis et ipsi Ecclesiae super hujusmodi dicti regni negotio ingeratis impedimentum, nullumque contradictionis obstaculum opponatis; sed—et verbis ostendatis et literis, quod vobis non displicet, immo placet, si dicta Ecclesia super ipsius regni negotio tractet cum aliquibus mundi Principibus, suamque possit de ipso regno conditionem facere meliorem: preces super hoc apostolicas taliter impleturi, quod Regem Regum constitutatis exinde vobis propitium et benignum, et praedictam Romanam Ecclesiam reddatis propter hoc vobis perpetuis temporibus in vestris opportunitatibus favorablem adjutricem.

¹⁶ See Urban's account in his epistle to Cardinal Simon, Legate in France, Martene thes. ii. 82. His call for help addressed ad universos fideles is in Raynald, 1264, no. 16. Raumer, iv. 484.

May, 1265),¹⁷ but without money.¹⁸ The Papal Bull¹⁹ for a Cru-

¹⁷ As early as 26th February, Clement issued two Bulls (d'Achery *spicilegium iii.* 648). The one deprives Edmund once more of all claim for Sicily, and shows in a legal argument that there had never been any collation or concession of the kingdom itself, made either to Edmund or his father, by the Apostolic See, or by its mandate or authority (the obsequious Henry, as early as June, 1265, sent ambassadors to the Pope with full power to renounce his claim on the kingdom of Sicily. See Raumer Clarke, p. 457). The other Bull solemnly hands over the kingdom to Charles of Anjou, on the conditions already agreed on. About these last a new act was executed at the time of Charles's investiture, 29th May, 1265 (in Raynald ad h. a. no. 13 ss.), which received the Papal assent in a Bull dated 4th Nov. (in Martene *thesaur.* ii. 220 ss.). Accordingly, Charles was crowned in Rome by five cardinals on the 6th of January, 1266. By the terms of this last definitive treaty Charles was required to pay a yearly quit-rent of 8000 ounces of gold, quolibet triennio unum palafridum album, pulerum et bonum in recognitionem veri dominii eorum dem regni et terrae, and immediately after taking possession of the kingdom 50,000 ounces of gold. If the terms were not kept, first the excommunication of the King, then an interdict of the whole country, were to follow. For this Charles held the whole kingdom in its former extent, only with the exception of Benevento. When the Pope required it, the King was to send him 300 knights in aid.

¹⁸ Besides, the Pope had many arbitrary acts of Charles to complain of, comp. Clementis epist. ix. xiii. lxxii. (Martene *thesaur.* iii. 105, 107, 141). But all his letters at this time remark on Charles's necessity and want of money; for instance, epist. cxvi. ad Carolum (l. c. p. 173): *Thesaurus apud nos nullus latet, nec nos eum multiplicare proponimus illis modis, quibus multi homines vellent.* Vide partes orbis concussas, et scire poteris causas inopiae. Anglia adversatur, Almannia vix obedit, Francia gemit et queritur, Hispania sibi non sufficit, Italia non subvenit, sed emungit: et unde potest Romanus Pontifex, si Deum timet vel reveretur homines, sibi vel alii in militia vel pecunia subvenire? Ceterum scripsit nobis secretissime legatus Franciae—motum contra te carissimi in Christo filii nostri illustris Regis Franciae fratris tui. Tu ergo—da operam totis viribus ad pacandum ipsius animum, etc. Epist. cxx. ad Simonem Cardin. Legate in France, p. 179: If the money rising from the tithe of ecclesiastical revenue to be collected in France be not soon sent to the King, Regem oportet vel fame deficere vel aufugere;—Rex deficit, perit negotium, et nos cum eo cadimus quoad illud, etc. Epist. cxxxii. ad Regem Siciliae, p. 186: Tuis nuncii sape diximus, et per literas tibi saepius intimavimus, quod tuis, ut vellemus, subvenire defectibus non valemus, et quotiens replicatur: cadit ergo negotium, si non facitis; nos subjungere cogimur: cadet Ecclesia, si quod postulatur implemus. Epist. clxv. ad Simonem Cardin. p. 214:—[Rex] suum et suorum vestitum et victum in sudore vultus sui mendicat, in manus respiciens creditorum, qui sanguinem ejus eibunt, quod non valet duos denarios solidi vendentes eidem, etc.

¹⁹ Addressed to the Cardinal Legate Simon in Martene *thesaur.* ii. 196 ss., and the same, with a few alterations, ad Archiepiscopos Bituricens. Narbon. Senon et Rothomagens. et Priorem Praedicatorum et Ministrum Minorum Fratrum, Provinciales Franciae et Decanum Rhemensem dd. iv. Non. Nov. (according to Raynald. 1265, no. 26. iv. Non. Sept.) in Wadding ann. Minorum, iv. 242. It begins: *De venenoso genere, velut de radice colubri, virulenta progenies Manfredus, quondam princeps Tarantinus, egressus, ab incunte aetate paternis se conformans nequitii, nisus est quantum potuit paternam saevitiam superare.* Qui sicut impius in pessimis rebus exultans, gloriatus est esse ac dici Ecclesiae persecutor, ad depressionem orthodoxae fidei, enervationem juris ecclesiastici, et jugem turbationem Italiae, prout patet per opera damnabilis progenitoris imitatione suspirans, etc. To those who should take the Cross and in propriis personis et expensis accesserint, plenam suorum peccaminum veniam indulgemuimus, et in retributione justorum salutis aeternae pollicemur augmentum. Eis autem qui non in propriis personis hoc fecerint, sed in suis dumtaxat expensis—viros idoneos destinaverint, et illis similiter, qui licet in alienis expensis, in propriis tamen personis accesserint, et eis qui quartam seu majorem

sade had collected an army in Provence, which now marched through Northern Italy; but it marked its track by devastations of every kind. The Pope's friendship for Charles was already much cooled,²⁰ when he gained the victory over the noble Manfred at Benevento by treachery (26th February, 1266), and took possession of the kingdom. It was yet more so when the avaricious and heartless Charles not only immediately alienated the minds of his new subjects by extortion and cruelty,²¹ but also paid slight attention to the treaty concluded with the Pope.²²

Nevertheless, his hatred of the Hohenstaufen outweighed this dislike. Though Clement also did not venture to decide with regard to the disputed Imperial election in Germany,²³ still he trembled at the possibility of its being settled by a fresh election

partem proventuum—de redditibus suis pro hujusmodi negotio collectoribus ad hoc deputatis—erogaverint, plenam suorum concedimus veniam peccatorum. At the end it runs, according to Martene : Et ut fideles Christi libentius et ferventius currant ad verbum Domini audiendum, omnibus vere poenitentibus et confessis, qui ad tuam et illorum, quibus id commiseris, solemnam praedicationem accesserint—x. vel xx. seu xxx. vel xl. dierum indulgentiam—largiaris, prout videris expedire. On the other hand, according to Wadding : Cacterum vos—rectores Ecclesiarum—moneatis diligenter, et efficaciter inducatis eos ad id, si necesse fuerit per censuram ecclesiasticam compellendo, ut ipsi cum parochianis suis ad audiendum verbum Crucis devote ac reverenter accendant, etc.

²⁰ It is worthy of note that Urban, even on 2d Feb. 1266, caused Manfred to be summoned to clear himself of the suspicion of heresy; accordingly, Manfred sent two proctors: Urban writes thereupon to a cardinal epist. 232, dd. 21st Feb. (in Martene thes. ii. 279) : de Manfredo coeperunt aliqui (Cardinales) dubitare, an scilicet ex eo, quod multo tempore claves Ecclesiae contemserit, orta sit illa suspicio (haereseos), de qua concilium loquitur generale.. Unde variis varia sentientibus—tuum consilium expectamus :—an sci-licet excusari possit Manfredi absentia personalis propter hostem in januis constitutum. —Item si petierit ad se mitti cardinales, vel alios, coram quibus purgare se debebat, an sit ei haec gratia facienda. Item an ex his, quae acta sunt contra ipsum,—possit amodo condemnari. Item an expediatur, etiam si licet, et si licet et expediatur, qualis sententia sit preferenda.

²¹ On the cruelties at Benevento after the battle, see Clement's epistle 262. ad Carolum (Martene l. c. p. 306). Raumer, iv. 536. On Charles's merciless system of government, see the same, s. 554 ff. Schlosser, III. ii. ii. 50. Among the Pope's letters of advice to him, see especially epist. 380, 22d Sept. 1266 (in Martene, p. 406) :—inhumanus diceris, et ad nullum afficeris, prout dicitur, amicitia.—Addimus juxta famam communem, quod homines regni tui etiam videre contemnis, et justitiam procrastinas ;—quibus si nec visibilis fueris, nec adibilis, si nec affabilis, nec amabilis, et eisdem volueris principari, profecto in manu gladium et in dorso loricam, et a latere praeparatum exercitum habere te jugiter oportebit.—Nunc ad tuos digredimur, illos scilicet, qui vel tuo assistant lateri, vel ad terrarum tuarum regimen destinantur : et de istis communiter dicitur, quod tibi subtrahunt, et tuis auferunt, quidquid possunt.—Quodsi rapina hujusmodi excusabilis esse posset, hoc solum videtur ad excusationem prodesse, quod tu fures videris facere, quibus non redditis debita, nec assignata certa stipendia, etc.

²² Raumer, iv. 560 ff.

²³ Gebauer, Leben Richards, s. 226 ff.

of Conradin.²⁴ When this youth²⁵ appeared in Italy (October, 1267) to rescue his father's dominion from the tyrant, almost every one went forth to meet him in triumph as their liberator. The Pope received him with anathema.²⁶ And now the time was come for the lofty race of the Hohenstaufen to fall. The battle at Tagliacozzo (23d August, 1268) declared against Conradin, and the last sprout of the noble Imperial house fell by the hand of the executioner (29th October, 1268).²⁷ Thus Clement beheld, shortly before his death, the accomplishment of an aim long pursued by the Papal See. On the other hand, he had received in Charles a feudal tenant, whose still increasing tyranny admitted no hope of his continuing in undisturbed possession of the kingdom of Sicily.²⁸

While the Popes abused the preaching of Crusades to their own advantage against the Hohenstaufen, the Latin Empire at Constantinople came to an end, upon the capture of this city by Michael Palaeologus (1261).²⁹ Bibars, sultan of Egypt, was advancing in Syria; and when Antioch also fell (1268), the Christian dominions were confined almost solely to Acre.³⁰

²⁴ Clem. epist. 278, to his English Legate on 8th May, 1266 (in Martene, p. 319): *expedit, modis omnibus Imperii negotium terminari, cum multi laborent ad Conratinum praeficendum eidem, quod quanti posset esse discriminis, ipse vides.* Thence the prohibition imposed on the Archbishop of Mayence 18th September, 1266, in Schannat vendemiae litterariae coll. I. p. 207 ss. To this time also undoubtedly belongs the epistle of Clement to the Electoral Princes (bearing the false date 1254), brought to light by Bodmann, Codex Epist. Rudolfi i. p. 305: *Intelleximus, quosdam filios iniquitatum super eo linguis instruxisse mendaces, quod nos, exclusis ab imperatoria dignitate Principibus ad praesens litigantibus super ea, intendebamus de persona nostra juxta nostrum beneplacitum Imperio providere, jure, quod vobis super hoc competit, enervato.* Talis quippe relatio non rationis fundamentum habuit, sed a nequitiae fermento traxit originem. Indecens enim esset, quod inde sequerentur injuria, unde jura nascentur, etc.

²⁵ About him consult W. Jager's *Gesch. Conrads II.*, Kg. beider Sicilien u. Herz. in Schwaben. Nurn. 1787. 8.

²⁶ Clem. epist. 450, ad Florentinenses dd. 10. April 1267 (in Martene, p. 456): *De radice colubri venenosus egressus regulus suis jam inficit flatibus partes Tusciae: viperarum genimina, viros utique pestilentes, et tam nostros quam *vacantis* Imperii, necnon—Siciliae Regis incliti proditores—ad diversas destinat civitates, etc.* The deed of excommunication in Raynald. ann. 1268, no. 4 ss., according to Clem. epist. 559, in Martene, p. 544, was issued on the octave of S. Martin, 19th November, 1267.

²⁷ Raumer, iv. 594. Schlosser, III. ii. ii. 59.

²⁸ See fresh warnings from the Pope in Raynald. 1268, no. 36.

²⁹ Schlosser, III. ii. i. 114. How the claims of the banished Emperor, Baldwin II., gradually passed to the house of Anjou, and then to France, see the same s. 120 ff.

³⁰ Marini Sanuti, Patricii Veneti, liber secretorum fidelium Crucis (libb. iii. written 1306, in Bongarsii gesta Dei per Francos, T. ii.) lib. iii. Pars xii. c. 7-9. Schlosser, III. ii. i. 343. Wilken, vii. 514.

§ 58.

GREGORY X. (1ST SEPTEMBER, 1271–10TH JANUARY, 1276.) INNOCENT V. (21ST JANUARY–22^D JUNE). HADRIAN V. (12TH JULY–18TH AUGUST.) JOHN XXI. (13TH SEPTEMBER, 1276–MAY, 1277.) NICOLAS III. (25TH NOVEMBER, 1277–23^D AUGUST, 1280.) MARTIN IV. (22^D FEBRUARY, 1281–29TH MARCH, 1285.) HONORIUS IV. (2^D APRIL, 1285–3^D APRIL, 1287.) NICOLAS IV. (22^D FEBRUARY, 1288–4TH APRIL, 1292.) CELESTE V. (5TH JULY, 1294–13TH DECEMBER, 1294.)

While the Papal election was delayed by the disunion of the Cardinals, the conquest of Antioch kindled once more the last spark of enthusiasm for the Holy Land. Lewis IX. proceeded in company with Edward, the heir to the English crown, against Tunis (1270), and there met his death.¹ Edward turned thence to Ptolemais, but he could do no more than delay the complete loss of all the Christian dominions in Palestine.²

The new Pope, Gregory X., was chosen from his suite. He departed from Ptolemais with the firm intention of sending effectual aid to the Holy Land,³ and (1274) held a general council at Lyons with this especial view. In the mean time, the enthusiasm had grown cold.⁴ The whole result was unsatisfactory. In like

¹ Schlosser, III. ii. ii. 360. Wilken, vii. 537. Comp. the anger-breathing elegy of the Troubadour Austore d'Orlac in Raynouard, v. 54, in French in Michaud hist. des croisades 5^{ème} édit. iv. 547. The tenor of it Millot gives ii. 430: Il pleure la mort du Roi s. Louis, si ardent à servir Dieu ; il maudit les croisades, et le clergé promoteur de la guerre sainte ; il maudit Dieu même, qui pouvoit la rendre heureuse ; il voudroit, que les Chrétiens se fissent Mahométans, puisque Dicu est pour les infidèles ; il oppose la voie droite, que tenoit s. Pierre, aux mauvaises ruses, que pratique le Papa ; il invective contre le Pape et les prêtres, qui font tout pour de l'argent ; enfin il voudroit, que l'Empereur se croisât avec les François pour combattre le clergé, qui a fait périr la chevalerie, et qui ne songe qu'à dormir.

² Marinus Sanutus, lib. iii. p. xii. c. 11, 12.

³ He left it with the words Ps. cxxxvii. 5, 6: Si oblitus fuero tui, Jerusalem, oblivioni detur dextera mea : adhacreat lingua mea faucibus meis, si non meminero tui : si non proponso Jerusalem in principio laetitiae meae (Marin. Sanut. l. c. cap. 13).

⁴ Compare especially the book drawn up at the request of Gregory X. by the General of the Dominicans, Humbertus de Romanis, as a preparation for the Council, de his quae tractanda videbantur in concil. gener. Lugdun. (Extracts from it were first edited by Mansi xxiv. 109. From comparison of this, it is plain that this book is the same Opusculum tripartitum, which was printed long ago, but without being recognized, in the collection of Councils by Crabbe, ii. 967, left out in the next collection of Councils, and on this account received into Brown's app. ad. fascic. rerum expetendarum et fugiendarum, p. 185.) Part I. treats of the Crusades, and confutes from cap. x. onward (in Brown, p. 191), septem genera hominum, obloquentium adversus negotium, quod exercet Ecclesia contra Saracenos. For instance, cap. xi.: Sunt quidam de istis oblocutoribus, qui dicunt, quod non decet religionem christianam ita effundere sanguinem etiam malorum infidelium. Christus enim non sic fecit, imo cum patretur, non comminabatur, et tradebat se judicanti se

injuste, sicut dicit Petrus : nec etiam sic docuit Christus, imo dixit Petro volenti defendere eum : *mitte gladium tuum in vaginam*. The Apostles, Martyrs, and Saints, followed this religion. On the other hand : aliter interdum res perducitur in esse, aliter conservatur. Vinea enim, a patrefamilias plantata, per beneficium roris et pluviae et caloris caelestis ad debitum incrementum perdueatur : sed per gladium conservatur, si forte hostes vellent eam extirpare. Item aliter procedit impotens in suis agendis, aliter potens. Impotens enim procedit per humilitatem, potens vero per severitatem. Item omnis artifex operans cum instrumento solet operari per instrumentum quod habet, non per illud quod non habet, et quando deficit ei unum, operatur cum alio quod ei restat. Eisdem modis factum est de Christianitate. Promota est enim per miracula, et Sanctorum passiones, et doctrinam sanctam, et non per potentiam aliquam, ne adscriberetur homini, sed soli divinae virtuti ejus promocio. Sed quae sic promota est, jam promota defendenda est ab hostibus per gladium, cum fuerit necesse. Item in statu suo primitivo nondum Dominus derat ei terrena dominia, nec ei subjecerat potestates mundi, sicut fecit postea, et ideo tunc operabatur sicut impotens. Postmodum autem procedit sicut potens per potentiam. Ad quid enim dedisset ei providentia Dei potentiam sacculariem, si nollet, quod ea uteretur : et sic haberet gladium sine causa, contra verbum Apostoli ad Romanos (Rom. xiii. 4). Item sicut tunc potentiam non habebat, sed miracula et genera linguarum et Spiritum sanctum omnia docentem, quibus tunc utebatur, ita modo non habet illa, sed habet potentiam. Deficientibus ergo istis, utitur eo quod habet, scilicet potentia, sicut artifex instrumento quod habet.—Item patet hoc idem per ipsum Christum qui dicit : *qui non habet gladium, vendat tunicam suam et emat gladium*. In quo inventur secundum glossam, quod aliquando utendum sit gladio Christianis.—Quod dominus dixit Petro : *converte gladium tuum, etc.*, dictum est Petro pro tempore illo, nondum enim venerat tempus utendi gladio. Item dictum est pro persona. Licet enim Ecclesia habeat gladium, non tamen pertinet usus ejus ad quodlibet membrum Ecclesiae. Sicut ergo in homine non utitur quodlibet membrum ejus, sed solum manus gladio : ita et in corpore Ecclesiae non pertinet uti gladio, nisi ad personam laicam, etc. Cap. xii. : Alii sunt qui dicunt, quod etsi non esset parecendum sanguini Saracenicorum, tamen parecendum esset sanguini et morti Christianorum. On the other side : finis Christianitatis non est replere mundum sed caelum. Quid ergo curandum est, si Christiani immiuuntur in mundo per mortes, quas propter Deum sustinent, ex quo per tales mortes vadunt ad caelum, et forte per aliam viam nunquam illuc ituri ? Cap. xiii. : Alii sunt, qui dicunt, quod quando nostri vadunt ultra mare contra Saracenos, conditio belli multo peior est ex parte nostra. Nam nos sumus ibi valde pauci in comparatione ad eorum multitudinem. Item sumus in aliena terra, ipsi autem in sua. Item sumus in aere inconsueto, ipsi autem in consueto. Item oportet nos ibi uti multoties cibis inconsuetis, ipsi vero consuetis utuntur. Item ipsi sciunt passus periculosos et subterfugia, nos autem non. Item habemus ibi frequenter inopiam rerum, illi vero copiam. Et ideo videtur esse tentatio Dei vel magna infidentia (probably *insipientia*), inire talem conflictum. Cap. xiv. : Alii sunt, qui dicunt, quod etsi debeamus nos defendere a Saracenis, quando nos invadunt : tamen quando dimittunt nos in pace, non videtur, quod deberemus terras eorum vel ipsos invadere. Nec videtur, quod hoc fieri possit sine injuria. Cap. xv. : Alii sunt qui dicunt : si Saracenos debemus de mundo tollere, quare non facimus similiter de Iudeis, et quare similiter non facimus de Saracenis, quos habemus in nostra potestate ? Quare non similiter eodem zelo persecutim idololatras aliquos, qui sunt adhuc in mundo ? Quare etiam non idem facimus de Tartaris et hujusmodi barbaris nationibus, qui omnes sunt infideles ? Cap. xvi. : Alii dicunt, quae utilitas est in ista impugnatione Saracenorum ? Per hoc enim non provocantur ad conversionem, sed potius provocantur contra fidem christianam. Item quando vincimus et eos occidiimus, mittimus eos ad infernum, quod videtur esse contra caritatem. Item quando obtinemus terras eorum, non habemus qui populent eas et excolant, quia nostrates nolunt in illis partibus remanere : et ita non videtur esse fructus neque spiritualis, neque corporalis, neque temporalis de ista impugnatione. In answer to this there is asserted, 1. triplex fructus spiritualis, scilicet honor Dei, salus Christianorum (e. g. fideles in pugna ista accumulant sibi merita bonorum opem, et indulgentias sibi acquirunt, per quas absolvuntur a peccatis), Ecclesiae dilatatio quoad cultum divinum. Then also, ii. a triplex fructus corporalis, and, iii. a triplex fruc-

manner, a decree issued by this council for the acceleration of future Papal elections⁵ was frustrated on the next occasions.⁶

tus temporalis is demonstrated. Ad illud autem quod dictum est in contrarium de conversione Saracenorum, dicendum est, quod etsi impugnatio eorum non valeat quoad hujusmodi fructum directe, tamen valet quoad alios fructus spirituales praedictos, et ad illum etiam indirecte. Per flagella, sicut et per infirmitates, interdum erudiuntur homines, et ad cognitionem sui majorem compelluntur venire. Unde possibile est, quod Saraceni, si bene conquassarentur, non tantum in suo Mahumeto confiderent. Ad illud de mittendo eos ad infernum dicendum est, quod Christiani non intendunt hoc, sed facere de eis, quod justum est, sicut iudex de latrone. Ipsi videant quo vadunt, quando de hoc saeculo dedecunt. Cap. xvii. : Alii dicunt, quod non videtur esse voluntas Dei, quod Christiani sic procedant contra Saracenos, propter infortunia, quae Deus permisit et permittit sic evenire Christianis in hujus negotii assequitione (comp. the Chevalier du Temple, § 56, note 23, and Austore d'Orlac, above note 1). Quomodo enim permisisset Deus, quod Saladinus fere totam terram, acquisitam cum tanto sanguine et labore Christianorum, quasi subito nobis iterum abstulisset? et Fridericus Imp., vadens ad succurendum, perisset in parva aqua? Et felicis memoriae Rex Ludovicus captus fuisse cum fratribus suis, et tota nobilitate fere Franciae in Aegypto? etc.—In reply: infortunia evenientia super aliquos non sunt signum, quod eorum facta Deo non placeant, quin potius sunt signa contrarii, cum frequentius adversa eveniant in hoc mundo bene facientibus quam male.—Interdum eveniunt ista infortunia nostris propter peccata nostra.—Interdum etiam eveniunt propter bonum nostrum, ut mereamur plus non solum bene agendo, sed et patiendo, sicut Martyres et alii Sancti, qui et bene egerunt, et propter justitiam passi sunt.—Dicitur quod bonae memoriae Rex Ludovicus, captus a Saracenis, de hoc multum gloriabatur, dicens, quod Domino in die judicii dicturo, quod pro nobis male tractatus fuissest, habiturus esset, quod responderet, dicendo videlicet, quod et ipse pro illo captus fuissest et male tractatus, sicut ille pro se (as Pierre d'Auvergne says above, § 54, note 48). Cap. xviii. : Sunt multi, qui licet non obloquantur isti sancto negotio, tamen inveniuntur valde tepidi circa illud. Sunt autem hujusmodi tepiditatis causae multae, non bonae, quarum una est avaritia, sicut proh dolor in multis clericis apparcat, qui propter decimas, vel alia etiam minoria subsidia, quae oportet eos interdum ponere in hujusmodi negotio, adeo turbantur interdum, quod magis vellent, quod totum negotium remaneret, quam quod ad ista compellerentur.—Alia causa est mors suorum. Sunt enim multi, qui maledicunt negotio propter caros suos, qui mortui sunt in illo, jurantes et asserentes, quod propter hoc nunquam ibunt in exercitum contra Saracenos, vel non juvabunt in hoc negotio.

⁵ How the Cardinals struggled against this, see brevis nota eorum, quae in II. conc. Lugd. gener. acta sunt in Mansi xxiv. 66, Raynald. 1274, no. 27. The order itself is to be found in Mansi p. 81. Constit. ii. The election was to be in the city in which the Pope, with his court, lived and died. After the absent Cardinals have been waited for ten days, the Cardinals were to assemble in the palace which the Pontiff used to inhabit, each one accompanied by his own servant only. In eodem palatio unum conclave, nullo intermedio pariete seu alio velamine, omnes habitent in communi. Quod, servato libero ad secretam cameram aditu, ita claudatur undique, ut nullus illuc intrare valeat vel exire.—Through one solitary window they were to receive the necessities of life. If they do not elect in the first three days, per spatiū V. dierum immediate sequentium, singulis diebus, tam in prandio, quam in coena, uno solo ferculo sint contenti. After these five days tantummodo panis, vinum et aqua ministrentur eisdem, donec eadem provisio subsequatur. To the chief magistrates of the city where the election was to take place, it was to be given in charge, ut praemissa omnia et singula plene ac inviolabiliter sine fraude ac dolo aliquo faciant observari, and for this purpose, immediately after the death of the Pope, praestent corporaliter juramentum. If they are negligent in this duty, eo ipso excommunicationis sint vinculo innodati, et perpetuo sint infames, etc. Civitas vero praedicta non solum sit interdicto supposita, sed et pontificali dignitate privata.

⁶ After Hadrian V.'s death the Cardinals published a suspension of this order, profess-

On the other hand, the Papal power over the German crown was now so firmly established, that after King Richard's death († 2d April, 1272) the new election was prompted by Gregory,⁷ and the newly elected King Rudolph, count of Hapsburg (29th September, 1273) was obliged to acknowledge the Pope's supremacy in a humiliating manner,⁸ while Alphonso was compelled by the same influence to surrender his claim.⁹

Rudolph, only anxious to establish on a firm basis once more the Imperial influence in Germany, sacrificed to Pope Nicolas III. certain disputed territories in Italy;¹⁰ in return he supported his king to have been issued by himself; the inhabitants of Viterbo, however, did not believe it (Raynald. 1276, no. 28). So John XXI., immediately after his accession to the see, while the memory of this conclave, so strictly managed by the men of Viterbo, was fresh in his mind, gave his authority to this suspension (Rayn. l. c. no. 29), quia experientia docuit, constitutionem eandem multa intolerabilia, nonnulla obscura, et propter hoc accelerationi provisionis ejusdem Ecclesiae valde damnsa—continere. Celestine V. restored the order at last (Raynald. 1294, no. 17).

⁷ A historian who lived not much after this time (in Urstissii German. historic. ii. 93) relates that when the election was delayed, Gregorius P. X—praecepit principibus Alemaniae electoribus, ut de Romanorum Rege, sicut sua ab antiqua et approbata consuetudine intererat, providerent, infra tempus eis ad hoc de Papa Gregorio statutum: alias ipse de consensu Cardinalium Rōmani Imperii providere vellet desolationi.

⁸ Rudolph's ambassadors had to take in their master's name, at Lyons, the oaths of Otto IV. (§ 54, notes 14 and 17), and Frederick II. (§ 54, note 30, § 55, note 2) (cf. Raynald. 1274, no. 5 ss.). Some months after followed the confirmation, epist. ad Rud. dd. 26. Sept. 1274 (in Raynaldus l. c. no. 55, in M. Gerberti codex epistolaris Rudolphi I. S. Blasii, 1772 fol. lib. i. epist. 27, and in F. J. Bodmann codex epist. Rud. I., epistolas cxxx. anecdotas continens. Lips. 1806. 8. p. 25) with the words: *Licet itaque non sine causa distulerimus hactenus, regiam tibi denominationem ascribere; cum fratribus tamen nostris nuper deliberatione præhabita te Regem Romanorum de ipsorum consilio nominamus.* This *nomination* seems to contain an intentional ambiguity. Rudolph's personal confirmation of that oath, during his interview with the Pope in Lausanne (October, 1275), was first published in Senkenberg, *de jure primarum precum Regum Germ. Francof.* ad M. 1784. 4. Cod. probationum p. 3. ss. Compare Gesch. d. Hauses Habsburg, v. d. Fursten E. M. Lichnowsky, Th. i. Gesch. Konig Rudolphei I., Vienna, 1836, s. 124, 136.

⁹ See Gregory's two letters to him in Rayn. 1274, no. 45 and no. 50 (the last also in Bodmann l. c. p. 19). But it was not till 1275 that Alphonso was brought, by the threat of excommunication, to give up his claim (Rayn. 1275, no. 15).

¹⁰ When the Imperial Chancellor made the cities of Bologna, Imola, Ravenna, Rimini, Urbino, etc., in the year 1278, do homage to the Emperor, Nicolas III. was aggrieved by it, because these cities belonged to the States of the Church, according to the tenor of the Emperor's promises (see note 8), and Rudolph immediately yielded (Raynald. 1278, no. 51. Bodmann, p. 79). The Pope now sent him the copies of all the pretended Imperial deeds of gift (Rayn. l. c. no. 57): *Ne autem per haec nos aliquod novum petere, vel a tuis praedecessoribus Imperatoribus Romanis insolitum, existimes postulare, ad tuam conscientiam plenius serenandam—tibi de verbo ad verbum tenores privilegiorum ipsorum Imperatorum—transmittimus*), and required, *cum expressione nominum praedictorum, etc., omnia et singula de novo donari.* He added a rough draft for the purpose (Rayn. l. c. no. 62), and Rudolph was obsequious enough to execute it in full (see Bodmann, p. 83). All former grants were confirmed in this document, and the States of the Church enu-

claims against Charles I. of Sicily, and negotiated an advantageous peace for Rudolph (1280).¹¹

Charles's tyranny had often before now provoked Papal censures,¹² when under Martin IV., a Pope entirely in his interest, the Sicilian Vespers (30th March, 1282) put an end at once to his dominion in Sicily.¹³ Whereupon (August, 1282) Peter III., king of Aragon, husband of Manfred's daughter Constantia, forthwith came forward there as King.¹⁴ All the efforts of the Popes against Peter († 1285),¹⁵ and James, his son and successor

merated by name, thus (comp. above § 54, note 14) : Ad has pertinet tota terra, quae est a Radicofano usque Ceperanum, Marchia Anconitana, dueatus Spoletanus, terra Comitis-sae Mathildis, civitas Ravennae et Aemilia, Bobium, Caesena, Forumpopuli, Forumli-vii, Faventia, Imola, Bononia, Ferraria, Comaclum, Adriam, atque Gabellum, Ariminum, Urbinum, Monsfeltri, territorium Balnense, Comitatus Britenorii, Exarchatus Ravennae, Pentapolis, Massa Tabaria cum adjacentibus terris et omnibus aliis ad Romanam Ecclesiam pertinentibus. Rudolph was also required to add from the electoral princes a confirmation of this deed (in Raynal. 1279, no. 6).—Comp. Alberti Argentinensis (about 1378) chronicon in Urstius ii. 103 : Rex (Rudolfus) nullum motum habens ad Italianam, forsitan quia vidit caeteris multis male successisse, misit Henricum Ep. Basileensem cum membranis sigillo suo sigillatis ad civitatem Romanam, qui ibidem sedi apostolicac Romandiolum et quaedam alia, *in damnum grave Imperii*, dedit. Annales veteres Mutinensis (in Muratori xi. 72) ann. 1277 : Rodulphus Rex Romanorum donavit civitatem Boniae et comitatem Romandiolas Papae Nicolao III., *et sic Ecclesia Romana facta fuit domina illarum civitatum et terrarum*. Lichnowsky's Gesch. d. Hauses Habsburg, i. 275.

¹¹ After Charles had been forced by Nicolas to renounce the Regency of Tuscany (Rayn. 1278, no. 68), and lay down the rank of Roman Patrician (ib. no. 69), the peace was effected (ib. 1280, no. 1); according to this, Charles was to hold Provence and Forcalquier in fee of the Empire. Lichnowsky, i. 281.

¹² According to Saba Malaspina, vi. c. 4 (Murat. viii. 869), Gregory X., when he met with Charles in Tuscany, on his way to Lyons, said to him : "Super oppressione multiplici et innumeris novitatis, fili carissime, quibus sub tuo felici dominio Regnicolas optimi fama elamat, validus frequenter clamor perculit aures nostras.—Revoces igitur pro Deo talia, quae Regi pio non congruant, sed potius regiam celsitudinem dehonestant, ita quod tua grandis adeo felicitas adaugeat, non minuat subditis libertatem." Ad haec, cum regium Rex non fecisset in hac parte responsum, cuius animus videbatur ad ulteriora praelivior, dictus dominus Gregorius subdidit : "Veniet, veniet illa dies, qua super te tuosque filios et haeredes tyrannus inopinatus adveniet."

¹³ On this head, and on Nicolas III.'s former share in the conspiracy, see the contemporary Ricordano Malaspini Istoria Fiorentina, c. 206 ss. (in Muratori viii. 1024). Schlosser, III. ii. ii. 71. E. A. Schmidt's Gesch. Aragoniens im Mittelalter, s. 188. [War of the Sicilian Vespers. The Eclectic (N. Y.), February, 1854.]

¹⁴ When the men of Palermo, who offered the crown to the Pope, were sent back with an anathema (in Rayn. 1282, no. 13), they wrote to Martin (ib. no. 19) : Quia nos indignos b. Petri et vestra gratia reputastis, ille qui manet desuper infallibilis speculator, cui cura est aequalis de omnibus tam majoribus quam pusillis,—alterum Petrum loco Petri affectuosius invocati ex insperato in praesidium nostrum voluit cum paucis comitibus destinare, etc.

¹⁵ Compare on the whole subject, Schlosser, III. ii. ii. 76. From the side of Martin IV., who was entirely devoted to Charles, there followed first excommunication and interdict (Raynal. 1282, no. 23, given in full in d'Achery spicileg. iii. 684); then, in January, 1283, the promise (Rayn. ad h. a. no. 4) : omnibus Christifidelibus,—qui contra Re-

in Sicily,¹⁶ remained fruitless. Charles I. († 1285), and his son, Charles II., continued to be restricted to Naples.

During this struggle,¹⁷ upon the fall of Ptolemais (18th May, 1291) the dominion of the Christians in the Holy Land was lost forever.¹⁸

§ 59.

BONIFACE VIII. (24TH DECEMBER, 1294—11TH OCTOBER, 1303.) BENEDICT XI. (22D OCTOBER, 1303—7TH JULY, 1304.)

[W. Drumann, *Geschichte Bonif. VIII.*, 2. 8. Konigsb., 1852. L. Tosti, *Storia d. Bon. VIII.*, Rome, 1846. French transl. by Abbé Duclos, 2. 8. Paris, 1854. Wiseman's *Essays*, 3. p. 159—223; cf. *Dublin Review*, November, 1845.]

By a combination of ambition, daring, and craft,¹ Boniface III.

gem Aragonum—nobis, Ecclesiae vel Regi Siciliae astiterint, si eos—propterea in—conflictu mori contigerit, illam peccatorum suorum, de quibus corde contriti et ore confessi fuerint, veniam indulgemus, quae concedi transfretantibus in terrae sanctae subsidium consuevit. Afterward, on the 21st March (Rayn. l. c. no. 15 ss. d'Achery l. c. p. 689 ss.): Regnum Aragoniae cacterasque terras Regis ipsius—exponentes, ut sequitur, ipsum Petrum Regem Aragonum eisdem regno et terris, regioque honore sententialiter, justitia exigente, privamus; et privantes exponimus eadem—occupanda catholicis, de quibus et prout sedes apostolica duxerit providendum; in dictis regno et terris ejusdem Ecclesiae Romanae—jure salvo. At last he gave over the kingdom of Aragon to Charles of Valois as a Papal fief (Rayn. l. c. no. 25 ss.), from whom he required, as an annual quit-rent, quingentas libras parvorum Turonensium; and now caused a crusade to be preached against Sicily and Aragon (Rayn. 1284, no. 2 ss.).

¹⁶ After Peter's death, his eldest son Alphonso succeeded him in Aragon, his second son James in Sicily. The latter was soon greeted with a fresh anathema (Rayn. 1286, no. 8. *De colubro regulus prodiit, et de patre nequitiae filius iniquitatis exivit, Jacobus videlicet, etc.*, a metaphor long before used up, see § 57, not. 19 and 26). However, Nicolas IV. had to consent to make peace with Alphonso as King of Aragon (Rayn. ad h. a. no. 51).

¹⁷ Martin IV. not only drew away from the Holy Land many crusaders (see note 15), but sent also to King Charles large sums from the tithe contributed for that purpose, as he expresses himself (Rayn. 1283, no. 41): *quod in hujusmodi defensione ac custodia non solum dicti Regis, sed etiam Romanae Ecclesiae honor et utilitas procurantur.*

¹⁸ Marinus Sanutus, lib. iii. P. xii. c. 21 ss. Abulfeda, who was there in person at the time, ann. Moslem. v. 95. Schlosser, III. ii. i. 348. Wilken, vii. 719.

¹ Opinions of contemporaries of the Papal party about Boniface: Ptolemaeus Luc. hist. eccl. xxiii. c. 36 (in Murat. xi. 1203): *Hic longo tempore experientiam habuit Curiae, quia primo advocatus ibidem, inde factus postea notarius Papae, postea Cardinalis, et inde in cardinalatu expeditor ad casus Collegii declarandos, seu ad exterios respondendum. Nec in hoc habuit parem, sed propter hanc causam factus est fastuosus, et arrogans, ac omnium contemptivus.* Bernardus Guido in vita Bonifacii (in Murat. III. i. 670): *Incepit autem quadam singulari via suam potentiam et papalem magnificientiam dilatare. Cujus praedecessor Coelestinus miracula operatus est in vita sua et post mortem. Ipse vero Bonifacius fecit mirabilia multa in vita sua, sed ejus miracibia in fine mirabiliter defecerunt.* The Ghibelline Dante calls him “*der neuen Pharisäer Herr und Hirt*,” Germ. Trans. (*Inferno*, Cant. 27, v. 85), and sees in hell the place already prepared for him (*Inferno*, Cant. 19, v. 52). The Poet places his vision in the year 1300, though the poem was written some years later.

had made his way to the Papal throne,² and now threatened to consummate its supremacy on earth. But he fell a victim to the attempt to bring under the Papal yoke the hitherto unmolested kingdom of France, where all along a sounder state of feeling had resisted the Pope's universal monarchy;³ even more, he brought the Papal See itself into bondage to France.

When Boniface mounted the throne, he found much in the complication of polities which invited a brilliant course of Papal statesmanship. The Holy Land was in the power of the Infidels, the Sicilian question still undecided. In Germany, instead of the powerful Rudolph of Hapsburg († 1291), ruled a less powerful King, Adolphus of Nassau. Philip the Fair, king of France, and Edward I., king of England, were engaged in a desperate feud. On both sides were numerous allies; namely, on the French side, the King of Scotland; on the English, Adolphus, king of Germany, and the Count of Flanders.⁴ Boniface wished, after the example of Innocent III. (§ 54, note 6), to convert this war at once into a suit to be decided before him; and when his Legates were dismissed by Philip,⁵ he thought to frighten the King, by forbidding him to impose extraordinary taxes on the clergy (Bull, *Clericis laicos*, 24th February, 1296).⁶ Philip, however, returned the blow

² Comp. Ptolem. Luc. l. c. cap. 31 ss. p. 1200 ss., but Platina (ann. 1475) adds much to his account, *de vitis Pontiff.* ed. 1645. 12. p. 539 and 541.

³ Comp. Hugo Floriacensis, above, § 54, note 3. S. Lewis, below, § 62, note 26. Even the French Dominican Vincentius Bellovacensis (about 1240), *specul. histor. lib. xxvi. c. 51*, relates with censure the conduct of Gregory VII., whom he always calls Hildebrand, toward Henry IV.

⁴ On the quarrels between Boniface and Philip: *Histoire du différend entre le Pape Boniface VIII. et Philippe le bel, Roy de France* (par Pierre Du Puy), Paris, 1655 fol., together with an appendix of Documents (*Preuves*) from the *Trésor des chartres du Roi*: and *Histoire des démêlés du Pape Boniface VIII., avec Philippe le bel*, par Adrien Baillet. édit. 2. Paris, 1718. 12.

⁵ The instructions of the Legates sent to Philip and Edward, 18th February, 1295, are in Rayn. ad h. a. no. 41. They were to move the kings, *ut super hujusmodi negotio—nostris et apostolicae sedis beneplacitis—acquiescant*. For this purpose they received the power, *relaxandi juramenta quaelibet super negotio ipso a quibuscumque praestita, necnon confoederationes—et pactiones quascunque super hoc factas dissolvendi,—contradictores quoque quoslibet et rebelles, cujuscumque fuerint ordinis,—sive status, per censuram ecclesiasticam appellatione postposita compescendi*. At the same time, in two letters, 27th June, 1295, King Adolphus was exhorted to peace (Rayn. l. c. no. 44).

⁶ The Bull bears this date, which also is adopted in the *liber sextus decretall.* lib. III. T. xxiii. cap. 3, in Th. Rymer foedera ed. A. Clarke et F. Holbrooke, I. ii. 836: *Clericis laicos infestos oppido tradit antiquitas, quod et praesentium experimenta temporum manifeste declarant dum suis finibus non contenti nituntur in vetitum, ad illicita frena relaxant nec prudenter attendunt, quam sit eis in clericos, ecclesiasticasve personas et bona interdicta potestas:—et (quod dolenter referimus) nonnulli Ecclesiarum Praelati—trepiti*

intended for him, with such strength and skill,⁷ and continually

dantes, ubi trepidandum non est,—plus timentes majestatem temporalem offendere quam aeternam, talium abusibus—adquiescunt, sedis apostolicae auctoritate seu licentia non obtenta. Nos igitur, talibus iniquis actibus obviare volentes, de fratum nostrorum consilio apostolica auctoritate statuimus, quod, quicunque Praelati, ecclesiasticaeque personae—collectas vel tallias, decimam, vicesimam seu centesimam suorum et Ecclesiarum proventuum—laicis solverint vel promiserint, aut quamvis aliam quantitatem—sub adiutorii, mutui, subventionis, subsidii vel doni nomine, seu quovis alio titulo, modo, vel quaesito colore, absque auctoritate sedis ejusdem; neconon Imperatores, Reges seu Principes,—qui talia imposuerint, exegerint vel receperint, aut apud aedes sacras deposita Ecclesiarum—arrestaverint, saisiverint, seu occupare praesumserint, nec non omnes, qui scienter dederint in praedictis auxilium,—eo ipso sententiam excommunicationis incurvant. Universitates quoque, quae in his culpabiles fuerint, ecclesiastico supponimus interdicto.—A supradictis autem excommunicationum et interdicti sententiis nullus absolvi valeat, praeterquam in mortis articulo, absque sedis apostolicac auctoritate et licentia speciali. No more than a whetting of the decree of Innocent III., see below, § 63, note 16.

⁷ Philip's order of the 17th August, 1296, to export no gold nor silver is in Du Puy preuves, p. 13.—The Pope's vehement complaint at this, 21st September, ibid., p. 15, and in Rayn. 1296, no. 25. Ipsi quidem subditi adeo sunt diversis oneribus aggravati, quod eorum ad te solita et subjecta multum putatur refriguisse devotione.—Si, quod absit, fuerit [constitutionem] condensit intentio, ut ad nos et fratres nostros, Ecclesiarum Praelatos—extendatur, hoc non solum fuisset improvidum, sed insanum, velle ad illa temerarias manus extendere, in quibus tibi saecularibusque principibus nulla est attributa potestas; quin potius ex hoc, contra libertatem eandem temere veniendo, in excommunicationis sententiam promulgati canonis incidisses.—Leva in circuitu oculos tuos et vide: cogita et repensa Romanorum, Angliae ac Hispanorum regna, quae quasi undique te circumdant, —et patenter agnosces, quod non fuit tempus acceptabile, non dies salutis, diebus istis nos et ipsam Ecclesiam talibus punctuationibus tangere; nec revocare debuisses in dubium, quod nostri et Ecclesiae adiutorii et favoris sola subtractio in tantum te debilitaret ac tuos, quod, ut caetera tua perinde omittamus incommoda, persecutiones adversas ferre non posses.—Nonne Rex Romanorum fuisse occupatas a te tuisque praedecessoribus—civitates et terras—ad Imperium pertinentes cum instantia conqueritur, et specialiter Burgundiae comitatum, quod notum est fore feudum descendens ab Imperio, et recognoscendum ab ipso? Nonne—Rex Angliae illustris de nonnullis terris Guasconiae asserit illud idem? Numquid super iis dicti Reges denegant stare juri? Numquid apostolicae sedis, quae Christicolis omnibus praeeminet, judicium vel ordinationem recusant? *Dumque in eos super iis ipsi peccare te asserunt, de hoc judicium ad sedem eandem non est dubium pertinere.* Quite like Innocent III., above, § 54, note 6. Thereupon Responsiones nomine Philippi R. in Du Puy preuves, p. 21, and in Leibnitii mantissa codicis juris gentium diplom. ii. 288: Antequam essent clerici, Rex Franciae habebat custodiam regni sui, et poterat statuta facere.—Sancta mater Ecclesia, sponsa Christi, non solum est ex clericis, sed etiam ex laicis:—quam ipse—per mortem suam misericorditer liberavit: qua libertate gaudere voluit omnes illos, tam laicos, quam clericos.—Clerici—non debent, nec possunt, nisi forsitan per abusum, sibi appropriare, quasi alios excludendo, ecclesiasticae libertatem, loquendo de libertate, qua Christus nos sua gratia liberavit. Multae vero sunt libertates singulares, non universalis Ecclesiae,—sed solum ejus ministrorum:—quae pridem libertates per statuta Rom. Pontificum, de benignitate vel saltem permissione Principum saecularium, sunt concessae: quae quidem libertates sic concessae, vel permisae ipsis Regibus regnum suorum gubernationem ac defensionem auferre non possunt, nec ea, quae dictae gubernationi et defensioni necessaria seu expedientia—judicantur, dicente Domino Pontificibus templi: *Reddite ergo quae sunt Caesaris Caesar, etc.* Et quia turpis est pars, quae suo non congruit universo, et membrum inutile et quasi paralyticum, quod corpori suo subsidium ferre recusat: quicunque sive clerici sive laici—qui capiti suo vel

resisted all officious interference on the Pope's side with such determination,⁸ that he found it best for his own interest to recall the prohibition with regard to France,⁹ and endeavor to win over

corpori, hoc est domino Regi et Regno,—auxilium ferre recusant, semet ipsos partes incongruas et membra inutilia et quasi paralytica esse demonstrant.—Quis sapiens et intelligens haec non incidit in vehementem stuporem, audiens Vicarium Jesu Christi prohibentem tributum dari Caesari, et sub anathemate fulminantem, ne clericorum contra iniquae et injustae persecutionis incursus (on the parts of the kings of England and Germany) domino Regi et Regno—pro rata sua manum porrigant adjutricem? Dare vero histrionicibus, et amicis carnalibus, et neglectis pauperibus expensas facere superflvas in robis, equitatibus, comitatibus, comensationibus, et aliis pompis saecularibus, permittitur eisdem, imo conceditur, ad perniciose imitationis exemplum, etc. The supplicatio facta Papae per Archiepisc. Remensem et suffraganeos suos in Du Puy preuves, p. 26, makes a yet deeper impression, because it is clear from this, notwithstanding its respectful tone, that the Pope could not reckon on the French clergy.

⁸ Boniface issued a Bull on the 13th August, 1296 (in Rayn. ad h. a. no. 18 s.) : treugas dudum ab instanti tunc festo nativitatis b. Joannis Baptiste proximo praeterito usque ad annum unum completum praeferatis Romanorum, Franciae ac Angliae Regibus auctoritate apostolica sub pena excommunicationis—indiximus. This, however, was only announced to the King of Rome, because the Legates had hoped that between the Kings of France and England a truce might be brought about of their own free will. But now, treugas ab instanti festo nativ. b. Jo. Bapt. proximo futuro—usque ad biennum completum eadem auctoritate jam dictis Rom. Franc. ac Angliae Regibus prorogamus, et de novo indicimus, easque praecepimus inviolabiliter observari sub eadem excommunicationis poena. However, the Legates were afraid to deliver this to Philip (confer Instrumentum Legatorum de treugis indictis et Regis Philippi protestatione, 21. April 1297, in Leibnitii mantissa ii. 290 : quas treugas publicare et dictas literas praesentare Francorum et Angliae Regibus ipsis distuleramus ex causa), and first negotiated for a cessation of arms between the two Kings (see the documents 6th February, 1297, in Rymer-Clarke, I. ii. 838). When they now wished to publish the Bull, Philip compelled them first to adopt, by way of protocol, a solemn protest (the Instrument mentioned above, dated 21st April) : regimen temporalitatis regni sui ad ipsum Regem solum et neminem alium pertinere, seque in eo neminem superiorem recognoscere, nec habere, nec se intendere supponere vel subjicere modo quoconque viventi alieni super rebus pertinentibus ad temporale regimen Regni.—Quatenus autem ipsis Regis tangit animam, et ad spiritualitatem attinet, idem Rex—paratus est, monitionibus et praeceptis sedis apostolicae devote ac humiliter obediens, in quantum tenetur et debet, etc.

⁹ In interpretation of the Bull, Boniface sent to Philip, 7th Feb., 1297, the following statements (in Rayn. ad h. a. no. 49. Baillet, p. 322) : Quia ejus est interpretari, cuius est condere, ad cautelam tuam—humana declaratione decernimus, quod si Praelatus aliquis—voluntarie—donum aut mutuum tibi dare—voluerit, dum tamen sub exactionis nomine—hoc non fiat generaliter,—licet ad id forsitan tua—requisitio—procedat, te, Praelatos, etc., ipsa constitutio non astringat; quodque ad feuda sive regalia, quae iidem Praelati—sub tuo dominio tenere noscuntur, in his, quae tibi de illis tenentur et debent, et clericos uxoratos, prout sani juris intellectus admittit, ac illos, qui in fraudem causa vitandorum munerum clericale schema recipiunt, se ipsius constitutionis sententia non extendat: et in necessitatibus articulo,—ubi evidens esset in mora periculum per te vel tuos nuntios ad sedem apostolicam recurrendi, si a Praelatis—subsidiis competens petas et habeas, te ac ipsos ex ejusdem constitutionis verbis vel sententia declaramus lucide non teneri. In the accompanying Brief of the same day (in Rayn. l. c. no. 47) he enjoined the King, on the other hand, to cancel his order; but he wrote to his own Legates on the same day (ib. no. 48), si forte—per—Philippum—vel officiales ejus—pecuniae de regno Franciae prohiberetur—extractio; vos—eundem Regem, officiales ipsius—denunciatis publice in sen-

the King by every token of favor.¹⁰ Now even Philip agreed to appoint Boniface, not as Pope, but as a private individual, to be arbitrator of his quarrel with Edward. The decision made its appearance on the 30th of June, 1298; but it did not please the King, anxious to secure lands:¹¹ the negotiations, though still con-

tentiam promulgati canonis incidisse: et nihilominus in eum et eos de novo excommunicationis sententiam proferatis, etc. Nevertheless, he issued on the 31st July of this year yet another so-called interpretation (Rayn. l. c. no. 50. Du Puy, p. 39): Adjicimus insuper hujusmodi declarationi nostrae, quod si praefatis Regi et successoribus suis pro universali vel particulari ejusdem regni defensione periculosa necessitas immineret, ad hujusmodi necessitatis casum se nequaquam extendat constitutio memorata: quin potius idem Rex ac successores ipsius possint a Praelatis—petere ac recipere pro hujusmodi defensione subsidium vel contributionem,—inconsulto etiam Romano Pontifice:—quodque necessitatis declaratio supradictae ipsius Regis et successorum suorum conscientiis, dummodo successores illius vigesimum aetatis annum exegerint, relinquatur, etc.

¹⁰ The grant of the tithe from the French clergy for three years (Baillet, p. 55). The canonization of Lewis IX. (Acts in Du Chesne hist. Francor. scriptt. v. 481). The promise that Charles of Valois should be made Emperor (Villani istor. Fiorent. lib. viii. c. 62).

¹¹ The Bull formerly known only from the abridgment in Rayn. ann. 1298, no. 2 ss., was first printed in full by Rymer (in Clarke's edition, I. ii. 894). The Pronunciatio dates properly on the 27th June, and here the Pope says at the beginning: The two Kings, in nos—tamquam in privatam personam, et dominum Benedictum Gaytanum, tanquam in arbitrum,—super reformanda pace et concordia inter ipsos Reges,—absolute ac libere compromittere curaverunt; and thus he decides the question as a private person and Benedict Gaytanus. But he makes known this decision in a Bull of June 30, in which he gave the Papal sanction to the decision he had made as a private individual. (At first, in the preamble, he says: Quam pronunciationem, et quae in ea continentur, auctoritate apostolica valere volumus, et plenam habere decernimus roboris firmatatem.) This stratagem was likely to rouse Philip's anger. But when the historians of that time (Villani viii. 56, etc.) relate that Philip was adjudged by this decision to restore to the Count of Flanders also all places taken from him, and his daughter, who had been kept prisoner, and to make an expedition to Palestine, they carry back to this point what occurred afterward. There can be no doubt as to the integrity of the Bull printed from the original in Rymer (see Gaillard in d. Mémoires de l'acad. des Inscript. xxxix. 642). The decision first prescribes the marriages which had been before negotiated between Edward and Philip's sister Margaret, and between Edward, heir to the English throne, and Philip's daughter Isabella. On this point Benedict Gaytanus suddenly comes forward again as Pope (decernimus auctoritate apostolica, quod terra Regis illius, cuius culpa vel malitia steterit, quominus contrahantur praedicta sponsalia,—ecclesiastico subjaceat interdicto). Then, that all bona mobilia ablata by either side should be restored. The principal point, the possession of lands, stood over for future negotiations. For this end it was decided that all English lands which have fallen into the power of the French, and all French lands which the English have occupied, until judgment be given about them, shall be delivered over in manibus et posse nostris. If the Kings could agree about the lands and property, all was to remain as they should settle. If not, the Pope would decide. At last he reserves for himself plenarium potestatem, prout ex forma compromissorum praedictorum nobis competit, super omnibus et singulis, quae inter eosdem Reges ex compromissis praedictis arbitranda—diffinienda et pronuncianda restant, arbitrandi—diffiniendi, arbitraliter sententiandi, etc. This decision was not partial, and Philip had not altogether refused it, as is plain from the ensuing treaties. However, Philip could not but be displeased with the Pope, as naturally enough he would not willingly relinquish

tinued, produced no results.¹² The old grudge returned on both sides, and found expression in manifold acts of mutual hostility. The Pope began to protest anew against Philip's oppression of the Church.¹³ Philip, on the other hand, after the banishment of the Colonna family, the Pope's most bitter enemies, from Italy, entertained Stephen and Sciarra Colonna at his Court;¹⁴ and concluded with the newly-elected (1298) German King, Albert I., after that the Pope had declared himself against his appointment,¹⁵ a friendly alliance of the closest kind (1299).¹⁶

his advantages won over Edward, nor suffer his hands to be tied by the unlooked for and crafty intrusion of the Papal authority.

¹² Rymer-Clarke, I. ii. 902 ss., is full of documents relating to negotiations of peace, which agree in laying down this Papal decision as their basis. About these see Boniface, epist. ad Eduardum, 26. Feb. 1301 (l. c. p. 929): *Confodimus anxietatibus,—quod inter te ac Philippum—pacis—per nos sata semina speratum fructum—non producunt.* Then follows, after copious exhortations to peace: *licet ipse [Rex Franciae] servore juventutis impulsus, pravis seductus consiliis, et adulatorum malitia instigatis, se nimis in hac parte tenacem exhibeat atque durum: tu tamen, in quo maturitas et circumspectio plenior ac magis moderata requiritur, acquiescere sibi, ut juveni, satis condecenter potes, saltem ad tempus, donec Deus omnipotens, qui errata corrigit et reformat, tibi et sibi de meliori consilio et salubrioribus fructibus duxerit providendum.*

¹³ For instance against the misuse of the Right de la Régale (compare below, § 63, note 8). Bonif. ep. ad Phil. Oct. 1298 (in Rayn. ad h. a. no. 24), complains; during the suspension of the Bishop of Laon, praetextu ejusdam consuetudinis, quam appellas regalia, administrationem eandem temporalium, ac si vacaret Ecclesia,—cepisti. Compare the letters, ib. ad ann. 1299, no. 23, 25, that he exercised the right of Regalia too long, even after the successor was appointed, and too harshly; ad ann. 1300, no. 17, that he exercised it in the case of churches where it did not belong to him.

¹⁴ On the quarrel with the Colonna family, who among other things denied the legitimacy of the resignation of Celestine and the accession of Boniface (see their instrumentum publicum in Raynaldus T. xiv. in App. p. 635), Schröckh, xxvi. 528. Planck, v. 81.

¹⁵ Ptolemaeus Luc. hist. eccl. xxiv. 37 (in Muratori xi. 1204): Albert had sent ambassadors to the Pope in the year 1299, pro confirmatione electionis sua, quam Bonifacius P. primo multis juris et facti rationibus repulit prima vice, et asseruit nullam esse. Francis. Pipinus (about the year 1314) describes the reception of the ambassadors, chron. lib. iii. c. 47 (Murat. ix. 745): quibus Papa respondit, illum non esse electum legitime, et indignum imperio, qui erga dominum suum scelere bellum coepit, ac proditione occideret. Et sedens in solio armatus et cinctus ensem, habensque in capite Constantini diadema, stricto dextra capulo ensis accincti, ait: *numquid ego summus sum Pontifex? Nonne ista est cathedra Petri? Nonne possum Imperii jura tutari? Ego sum Caesar, ego sum Imperator:* eosque talibus verbis dimisit. So also Ferretus Vicentinus (about 1238) in Muratori ix. 995, who makes Boniface speak thus at the end: *Ipse (Albertus) nunc apud Germanos imperet, nos autem Latias gentes potentiae nostrae devotas nutu nostro regaliter gubernabimus.* Dante perhaps meant to represent this scene (in Purgat. xvi. 110, see below, note 36). Albertus Argent in Urstisius, ii. p. 111, with reference to Albert as, læsa majestatis crimen reum, puts the following words into the Pope's mouth: *Non fiet vivente ista Jesabel,* denotes Elizabet reginam, quae ex matre soror exxit Chunradini (and daughter of Mainhard, count of the Tyrol, and so by none of her ancestors of the Hohenstaufen family). The *Gesta Archiepisc. Trevir.* (in Martene ampliss. coll. iv. 376) say, Boniface for this reason had made Diether of Nassau, brother of

Now it was that diseased ambition and irritated lust of power carried on the Pope to the most thoughtless policy. When he had made Edward I. his enemy by an arrogant interference in the relations between England and Scotland,¹⁷ and Albert I., by his imperious encroachment on the election to the German Empire,¹⁸

the late King Adolphus, archbishop of Treves in 1299, quo pertinacius Alberto Regi resisteret, contra quem Papa, tum quod uxorem haberet de *viperali genimine seminis Friderici Imp.*, tum aliis de causis rigidas exercebat sententias.

¹⁶ See the documents in Leibnitii codex juris gentium diplom. p. 39 ss., especially the promise in the confederation, Strasburg, 5th September, 1299, p. 41 : quod ex nunc in ante erimus ad invicem veri et fideles amici, ac in nostris et regnorum nostrorum et Imperii honoribus, libertatibus et juribus mutuo conservandis *contra omnem hominem veri et validi adjutores*.

¹⁷ At first the Pope sought by friendly representations to move Edward to peace with Scotland (see his letter to Edward, 10th July, 1298, in Rymer-Clarke, I. ii. 897); but afterward he wrote to him, on the 27th June, 1299 (in Leibn. mantissa, ii. 277. Rymer-Clarke, I. c. p. 907) : Sane ad Celsitudinem regiam potuit pervenisse, et in tuae libro memoriae nequaquam ambigimus contineri, qualiter ab antiquis temporibus regnum Scotiae pleno jure pertinuit, et adhuc pertinere dignoscitur ad Ecclesiam Romanam.—Si vero in eodem regno Scotiae, vel aliqua ejus parte, jus aliquod habere te assersi : volumus quod tuos procuratores—infra sex menses—ad nostram praesentiam mittere non omissas. Nos enim nihilominus ex nunc lites—quaslibet, inter te dictumque regnum Scotiae—subortas,—ad cognitionem et determinationem sedis ejusdem, praesentium tenore reducimus, et etiam reservamus : decernentes irritum et inane, si secus scienter vel ignoranter a quoquam in hac parte contigerit attentari. Edward was wise enough to leave the matter to his Parliament, and the Pope was obliged to be content with the answer they sent him, dd. 12th February, 1301. (Leibn. I. c. p. 287. Rymer-Clarke, I. c. p. 926) : Scimus, et notorium est,—quod a prima institutione regni Angliae Reges ejusdem regni—superius et directum dominium regni Scotiae habuerunt ;—nec ullis temporibus ipsum regnum in temporalibus pertinuit vel pertinet quovis jure ad Ecclesiam supradictam [Romanam].—Neque Reges Angliae super juribus suis in regno praedicto, aut aliis suis temporalibus coram aliquo judice ecclesiastico vel saeculari—responderunt, aut respondere debebant. Unde—concors et unanimis omnium et singulorum consensus fuit, est, et erit inconcusse, Deo propitio, in futurum ; quod praefatus dominus noster Rex super juribus regni sui Scotiae, aut aliis suis temporalibus, nullatenus judicialiter respondeat coram vobis, nec judicium subeat quoquomodo : aut jura sua praedicta in dubium quaestions deducat : nec ad praesentiam vestram procuratores aut nuncios ad hoc mittat.—Nec etiam permittimus, aut aliquatenus permittemus, sicut nec possumus, nec debemus, praemissa tam insolita, indebita, praejudicialia, et alias inaudita praehibatum dominum nostrum Regem, etiamsi vellet, facere seu quomodolibet attentare. Comp. Schlosser, III. ii. ii. 398.

¹⁸ Boniface wrote, 13th April, 1301, to the three spiritual electoral princes (in Rayn. ad h. a. no. 2) : In publicam devenit notitiam, quod clarae memoriae Adulpho in Romanorum Regem electo—Albertus—vassalagium et ligium homagium ut Romanorum Regi fecit,—et tandem—contra ipsum superbe rebellans, ipso Rege Adulpho vivente,—se in Romanorum Regem eligi procuravit, et—de Rege triumphavit eodem, ipso occiso in praefilio.—Therefore now, nos ad quos jus et auctoritas examinandi personam in Regem Romanorum electam,—seu ratione dignitatis personae vel formae nominatio regia, seu ratione indignitatis personae vel formae reprobatio pertinere noscuntur ; fraternitati vestrae—mandamus, quatenus vos—denunciare curetis,—quod nisi Albertus, qui pro Romanorum Rege se gerit, per suos solemnes nuncios—infra sex mensium spatium—compareat coram nobis, ostensurus—suam innocentiam ; et propositurus rationabiles excusationes, si quas habet, super suis impedimentis notoriis, crimen videlicet laesae majestatis com-

he directly sent to Philip, Bernard of Saisset, bishop of Pamiers,¹⁹ (1301), who, independently of this, was an object of hatred to him, in order to add greater bitterness to his complaints. The Legate, who came forward with the most overbearing pride, was immediately sent back, and when he began to spread in his diocese rumors and opinions that might unseat the King on his throne, he was imprisoned.²⁰ Now Boniface contained himself no longer. In his anger, he poured forth a stream of decrees against Philip all at once (5th December, 1301), and even advanced so far as to summon the French clergy to a council at Rome on the 1st November, 1302, in order to frame decrees there for the arrangement of all disorders in France.²¹ Philip, on the other hand,

misso,—nec non excommunicatione publica, etc. ; et expositurus jus, si quod sibi competit ;—et ad faciendum,—quae justitia suadebit—sibique duxerimus injungenda, ac nos tris beneplacitis pariturus : nos principibus—districtius injungemus, ut nullus sibi ut Romanorum Regi obediat ;—quin potius omnes recedant ab eo ; ac omnes et singulos ab homagiis factis ipsi Alberto ut Romanorum Regi, et fidelitatis praestitis juramentis absolvemus, etc. However, Albert brought the Electoral Princes of the Rhine to obedience by force of arms, and this summons remained unnoticed. See Henry's History of the Empire, iii. 625.

¹⁹ On his former conduct, see Baillet, p. 77. Velly histoire de France, vii. 150.

²⁰ The documents on this head are to be found in Du Puy, p. 621 ss., in Martene thesaurus i. 1319, especially the Articuli contra Episc. Apamiarum, p. 1330 : he had said often in public, quod s. Ludovicus, dum viveret, dixit, —quia temporibus istius domini Regis, qui nunc est, regnum Franciae debebat destrui, —et quod dictum regnum tempore ipsius dicti domini Regis debebat ad alios devenire.—Item—quod dominus noster Rex nihil omnino valebat, etc. Dixit etiam plures idem Episcopus Apamiensis, quod civitas Apamensis non erat in Regno Franciae, nec de regno, et quod dominus Rex in ea nihil omnino habebat. Then highly treasonable compacts with the Count de Fois were brought against him.

²¹ I. ad Regem Franc. (Rayn. ann. 1301 no. 28. Bulaei hist. Univers. Paris, iv. 13. Du Puy preuves, p. 661), a command to release the Bishop of Pamiers.—II. ad Archiepisc. Episc. et Capitula regni Franciae, ac doctores in theologia, et magistros in jure canon. et civili de regno natos eodem (Rayn. l. c. no. 29. Bulaeus, iv. 11.) Because so many charges have been brought forward, super excessibus, culpis, insolentiis, injuriis, atque damnis, quae Praelatis, Ecclesiis—per—Philippum Regem—inferuntur, ac etiam paribus, Comitibus, aliisque nobilibus, universitatibus et populo dicti regni ; he therefore summons them to a council at Rome, ut super praemissis—vestra possimus habere consilia,— nec non tractare, dirigere, et statuere, procedere facere, et ordinare, quae ad honorem Dei et apostolicae sedis, augmentum catholicae fidei, conservationem ecclesiasticae libertatis, ac reformationem Regis et regni, correctionem praeteritorum excessum, et bonum regimen regni ejusdem viderimus expedire.—III. The Bull Salvator Mundi (Bulaeus, iv. 5. Du Puy, p. 42) : Nos attendentes, quod nonnulla privilegia, indulgentias et gratias —Philippo Regi—duximus concedenda,—quorum privilegiorum—occasione per abusum Ecclesiis—magna dispendia et gravamina sunt illata et gravia scandala sunt exorta et in antea possent oriri,—providimus super hoc salutare remedium adhibere. Unde illa omnia quantum ad omnem ipsorum effectum—usque ad praedictae Sedis beneplacitum duximus suspendenda.—Caeterum quia—ipsi Regi se corrigenti et habilitanti ad gratiam promerendam, libenter—complacemus,—Kal. Nov. proximo venturas pro preceptorio ter-

assembled his States (10th April, 1302), and here assured himself of the good feeling of his people, which was unmistakably expressed not only in the biting letter of the barons and burghers²² to the

mino assignamus, ut omnia privilegia, etc.—dictae Sedi conspectui praesententur, et consideratis ipsis et visis provideri possit, si dicta suspensio fuerit in aliquo vel in aliquibus moderanda.—IV. Letter of warning to Philip (in Rayn. I. c. no. 31, supplements to this ann. 1311, no. 33, given in full in Bulaeus, iv. 7. Du Puy, p. 48): Ausculta, fili carissime, praecepta patris, et ad doctrinam magistri, qui gerit illius vices in terris, qui solus est Magister et Dominus, aurem tui cordis inclina.—Christi vicarius, Petri successor—sibi collatis clavibus regni caelorum, judex a Deo vivorum et mortuorum constitutus agnoscitur, ad quem sedentem in solo iudicii dissipare pertinet suo intuitu omne malum.—Constitutum enim nos Deus, licet insufficientibus meritis, super Reges et Regna, imposito nobis iugo apostolicae servitutis ad evelendum, destruendum, disperendum, dissipandum, aedificandum atque plantandum sub ejus nomine et doctrina.—Quare, fili carissime, nemo tibi suadeat, quod superiorem non habeas, et non subsis summo Hierarchae ecclesiasticae Hierarchiae. Nam desipit, qui sic sapit, et pertinaciter haec affirms convineatur infidelis. Then follow copious charges about Philip's oppressions of the Church and his subjects, because of which the Pope had been induced to summon the French clergy to Rome. Si tuam itaque rem agi putaveris, eodem tempore per te vel per fideles viros—nisi poteris interesse: alioquin tuam vel ipsorum absentiam divina replente praesentia, in praemissis,—prout nobis superna ministraverit gratia, et expedire videbitur, procedemus. Tu autem audies, quid loquetur in nobis Dominus Deus noster, etc.—V. The well-known short letter (Bulaeus, iv. 7. Baillet, p 103): Bonifacius Episc. servus servorum Dei Philippo Francorum Regi. Deum time, et mandata ejus observa.' Scire te volumus, quod in spiritualibus et temporalibus nobis subes. Beneficiorum et Praebendarum ad te collatio nulla spectat: et si aliquorum vacantium custodiā habeas, fructus eorum successoribus reserves; et si quae contulisti, collationem hujusmodi irritam decernimus, et quantum de facto processerit, revocamus. Aliud autem credentes haereticos reputamus. Datum Laterani Non. Dec. Pontificatus nostri ann. vii. The genuineness of this brief is first denied by Henr. Spondanus annal. Eccles. ad ann. 1301, no. 11, chiefly because Boniface declared in the consistory of 1302, that Peter Flote, keeper of the seal in France, had falsified it (compare de Marca de conc. Sacerd. et Imp. lib. iv. c. 16, § 3 ss. Planck, v. 96). However, Boniface meant something quite different, see below, note 25. All historians of this time consider it genuine, see Bulaeus, iv. 14: also the contemporary paper of *Ægidius de Columna* (see below, note 35), and the petition of the French people in the year 1303 (see below, note 38), appeal to this; nor is it easy to see why a fraud should be risked in this case, or how so great a one should have passed uncensured. According to Joannes de S. Victore (in Bulaeus, iv. 15), this brief was first sent to the King about the feast of purification (February 2d) by the Legate, who had been already warned off, and had probably received the brief to be used in case of absolute necessity. The answer of the King was this (Bulaeus, iv. 11. Baillet, p. 111): Philippus D. G. Francorum Rex Bonifacio se gerenti pro summo Pontifice salutem modicam, seu nullam. Sciat maxima tua fatuitas, in temporalibus nos alciū non subesse; Ecclesiarum ac Praebendarum vacantium collationem ad Nos jure regio pertinere: fructus earum nostros facere; collationes a nobis hactenus factas et in posterum faciendas fore validas in praeteritum et futurum; et earum possessores contra omnes viriliter nos tueri; securus autem credentes fatuos et dementes reputamus. Datum Parisius. On the regalia, the subject of this contention, see below, § 63, note 8.

²² Philip first submitted to the Prelates the question (*Continuator Guil. de Nangiaco* ad ann. 1301): "a quo suum temporale ecclesiasticum, et Barones et Milites sua se tenere foeda adgnoscebant?" Timebat etenim regia Majestas, ne propter hoc, quod Papa mandaverat, tam sibi in temporalibus quam in spiritualibus se subesse, vellet idem Rom. Pontifex eniti, quod regnum Franciae a Rom. Ecclesia in foedum teneretur. Et cum

Cardinals, but also in an embassage and letter of warning from the clergy to the Pope.²³

Still all these representations were rejected;²⁴ the envoys of the French clergy were even obliged to listen in a consistory to the most extravagant assertions of the Pope's secular power,²⁵ which

omnes a Francorum Regibus tenuisse, ac de caetero se tenere dicerunt universa, Rex eisdem gratias reddidit, et promisit, quod corpus et omnia, quae habebat, exponeret pro libertate regni conservanda. Similiter autem Barones et Milites per os Atrebatensis Comitis Roberti postea responderunt dicentes, quod ex toto robore prompti erant pro corona Regni Franciae contra omnes adversarios decertare. Sic illo soluto consilio edici fecit regia majestas, ne aurum aut argentum aut mercaturae quaeque de regno Franciae veherentur: quod qui contra faceret, totum amitteret, et grandi nihilominus emenda, vel gravi poena corporis puniretur. Et tunc deinceps fecit omnes exitus, passus et introitus regni Franciae cautissime custodire. This result, which was occasioned by the Pope's words in the short brief, was the cause of much bitter feeling. Comp. the letter of the Barons to the Cardinals in Bulaeus, iv. 22. Du Puy, p. 60. The letter of the Tiers-Etat is lost.

²³ The letter of the clergy to the Pope (in Bulaeus, iv. 19. Du Puy, p. 66): The King had submitted to them in the meeting, sibi ex parte vestra fuisse—intimatum, quod de regno suo, quod a Deo solo ipse et praedecessores sui tenere hactenus recogniti sunt, temporaliter vobis subesse, illudque a vobis tenere deberet. nec contenti verbis hujusmodi sic mirabilibus sique novis et inauditis a saeculo apud incolas dicti regni, sed ea perducere satagentes executionis in actum, Praelatos—pro corrugendis excessibus—ad vestram praesentiam evocasti. They then tell the Pope all the charges which had been made against him in that meeting, and that, being pressed by the King and Barons for a plain answer, they had been compelled to declare, quod ipsi domino nostro Regi in conservatione personae suae suorumque et honorum ac libertatis et jurium dicti regni, prout quidam nostrum, qui—membra nobilia dicti regni tenemus. ex forma juramenti, et caeteri, qui omni debito sibi sumus fidelitatis adstricti, adessemus eidem debitibus consiliis et auxiliis opportunis.

²⁴ The answer of the Cardinals to the Barons (in Bulaeus, iv. 26. Du Puy, p. 63), among other things, says: Volumus vos pro certo tenere, quod praedictus dom. noster summus Pontifex numquam scripsit Regi praedicto, quod *de regno suo* sibi subesse temporaliter illudque ab eo tenere deberet.—Unde propositio, quam fecit Petrus Flote, animosum et falsum habuit fundamentum, et ideo necesse est, quod cadat aedificium.—Their answer to the Tiers-Etat (Bul. p. 27. Du Puy, p. 71) is to the same purpose, but shorter.—The answer of the Pope to the clergy (Bulaeus, p. 24. Du Puy, p. 65, more correctly in the Notices et extraits des MSS. n. 270): Verba delirantis filiae, quantumcunque desiderii maternis infesta, quantaque sint enormitate foedata, nequeunt tamen puritatem inficere piae matris, etc. Nonne duo principia nituntur ponere, qui dicunt temporalia spiritualibus non subesse?

²⁵ The documents are in Bulaeus, iv. 28, and Du Puy, p. 72. In the speech of Cardinal Portuensis, it is denied that the Pope ever asserted quod d. Rex deberet recognoscere regnum suum ab Ecclesia. On the other hand, the answer is: Scriptum est. *fecit Deus duo luminaria magna, luminare majus ut praeesset diei, et luminare minus ut praeesset nocti* (Gen. i. 16). sunt enim duae jurisdictiones, spiritualis et temporalis. Jurisdictionem spiritualem principaliter habet summus Pontifex,—jurisdictionem temporalem habent Imperator et alii Reges. tamen de omni temporali habet cognoscere summus Pontifex et judicare ratione peccati. Unde dico, quod jurisdictione temporalis potest considerari prout competit alicui de jure. Unde jurisdictione temporalis competit summo Pontifici, qui est Vicarius Christi et Petri, de jure. Unde qui dicit contrarium, impingit in illum articulum: “*judicaturus est vivos et mortuos;*” et in illum etiam praedictum “*Sanctorum communionem.*” Sed jurisdictione temporalis quantum ad usum, et quantum ad executionem ac-

were afterward published in the famous Bull, *Unam Sanctam* (18th November, 1302).²⁶ Soon after, indeed, the Cardinal John

tus non competit ei, unde dictum est Petro : “*Converte gladium in vaginam*” (Jo. xviii. 11). Then the speech of the Pope : iste est Architophel,—scilicet Petrus Flote, homo acerbus —homo haereticus censendus, etc.—Et volumus, quod hic Architophel, iste Petrus, puniatur temporaliter et spiritualiter : sed rogamus Deum, quod reservet nobis eum puniendum, sicut justum est. Iste Petrus literam nostram—Regi falsavit, seu falsa de ea confinxit, quia nescimus bene, an literam falsaverit :—imposuit Nobis, quod Nos mandaveramus Regi, quod recognosceret regnum a Nobis.—Dicimus, quod in nullo volumus usurpare jurisdictionem Regis :—non potest negare Rex, seu quicunque alter fidelis, quin sit nobis subjectus ratione peccati (compare above, note 7). Si vero per omnia ista Rex non resipiscat ; nolit nos ponere ad ripam, quod non sustineremus, sed pro tempore futuro responderemus ei juxta stultitiam suam. Nos scimus secreta regni : nihil latet nos : omnia palpavimus ; et nos scimus, quomodo diligunt Gallicos Alamanni et illi de Lingadoch et Burgundi, qui possunt dicere illis, quod b. Bernardus dixit de Romanis : “Amantes neminem amat vos nemo.” Unde pareatur in hoc nobis, fratres nostri, quod si Rex non resipiscat et nolit desistere ab inceptis, nec permittat venire Praelatos, in hoc non credemus eis quomodo puniremus. *Praedecessores nostri deposuerunt tres Reges Franciae* :—et licet Nos non valeremus pedes nostrorum praedecessorum, tamen cum Rex commisit omnia, quae illi commiserunt et majora, nos deponemus Regem ita sicut unum garcionem, licet cum dolore et tristitia magna, etc. Here and in note 24, on the Pope's side, the positions, Regem de regno suo Papae subesse temporaliter, recognoscere debere regnum suum a Papa, were disclaimed as misrepresentations of P. Flote; on the other hand, the position, Regem in temporalibus subesse Papac scil. ratione peccati was fully adopted, and herewith is no indication that the Brief *Deum time* (note 21, no. v.) was a forgery. Though Baillet, p. 143, and Schröckh, Th. xxvi. 565, 570, think that both maxims have the same meaning, and that on this account the Pope had at one time asserted, and at another denied the same statement: yet de Marca de conc. Sac. et Imp. lib. iv. c. 16, § 5, has the right meaning.

²⁶ In Rayn. ann. 1302, no. 13, and in the Extravagant. comm lib. i. tit. 8, c. 1 : *Unam sanctam Ecclesiam catholicam et ipsam apostolicam urgente fide credere cogimur et tenere*.—Igitur Ecclesiae unius et unicae unum corpus, unum caput, non duo capita, quasi monstrum, Christus videlicet et Christi vicarius Petrus, Petrique successor.—In hac ejusque potestate duos esse gladios, spiritualem videlicet et temporalem, evangelicis dictis instruimur. Nam dicentibus Apostolis “*Ecce gladii duo hic*” (Luc. 22, 38), in Ecclesia scilicet : cum Apostoli loquerentur, non respondit Dominus, nimis esse, sed satis.—Uterque ergo est in potestate Ecclesiae, spiritualis scil. gladius et materialis. Sed is quidem pro Ecclesia, ille vero ab Ecclesia exercendus. Ille sacerdotis, is manu Regum et militum, sed ad nutum et patientiam sacerdotis (according to Bernard de consid. iv. c. 3, see above § 54, note 1). Oportet autem gladium esse sub gladio, et temporalem auctoritatem spirituali subjici potestati : nam cum dicat Apostolus “*Non est potestas nisi a Deo, quae autem sunt a Deo ordinatae sunt*” (Rom. xiii. 1); non autem ordinatae essent, nisi gladius esset sub gladio.—Nam veritate testante spiritualis potestas terrenam instituere habet, et judicare, si bona non fuerit. Sic de Ecclesia et ecclesiastica potestate verificatur vaticinium Hieremiae : “*Ecce constitui te hodie super gentes et regna*” et caetera quae sequuntur (Jer. i. 10). Ergo si deviat terrena potestas, judicabitur a potestate spirituali; sed si deviat spiritualis minor, a suo superiori; si vero suprema, a solo Deo, non ab homine poterit judicari, testante Apostolo : “*Spiritualis homo judicat omnia, ipse autem a nemine judicatur*” (1 Cor. ii. 15).—Quicunque igitur huic potestati a Deo sic ordinatae resistit, Dei ordinationi resistit; nisi duo, sicut Manichaeus, fingat esse principia.—*Porro subesse Romano Pontifici, omni humanae creaturae declaramus, dicimus, definimus et pronunciamus omnino esse de necessitate salutis* (according to Thom. Aquin. opusc. contra errores Graec. fol. 9: Ostenditur enim, quod subesse Romano Pontifici sit de necessitate salutis).

made his appearance as Papal Legate in France, to offer the Pope's favor again upon the most unreasonable conditions;²⁷ but when Philip refused to yield to these, excommunication followed (13th April, 1303).

The breach was now irreparable, and both parties endeavored to strengthen themselves by alliances. Philip concluded peace with Edward (20th May, 1303).²⁹ Boniface, forgetting that pontifical consistency which commanded the respect of nations from its very inflexibility, by the ratification of the peace between Charles of Naples and Frederick of Sicily (12th June, 1303), obtained in the latter a new vassal,³⁰ and sought, by the recognition of Albert as King of Germany (30th April, 1303), whom he had hitherto resolutely disowned, to raise up a powerful adversary to the King of France.³¹

²⁷ The conditions are in *Du Puy*, p. 89 ss. Rayn. ann. 1303, no. 34, and ann. 1311, no. 36.

²⁸ The sentence of excommunication is in *Du Puy*, p. 98. *Bulaeus*, iv. 38.

²⁹ So early as 8th November, 1302, Philip protested in a Patent (in *Dumont corps universel Diplomatique*, i. 333) against all further mediation of the Pope. The treaty of peace itself is in *Rymer-Clarke*, I. ii. 952.

³⁰ Compare above, § 58, note 16. After the death of Alphonso, king of Aragon, in 1291, James, king of Sicily, succeeded him. When he gave up Sicily, in a treaty of peace with Charles II. of Naples (1295), the Sicilians chose his brother Frederick for their King. After a long and fruitless war, Charles II. was obliged to make peace with him 1302. (Rayn. ad h. a. no. 2 ss.): Boniface would not at that time confirm the treaty; however, he released Frederick from his excommunication (Rayn. l. c. no. 5 ss.). Now follows his confirmation as *Rex Trinacriae*. Rayn. ann. 1303, no. 24: *Fredericus Sici- liæ insulam—in vita sua habebit, tenebit et possidebit a nobis et sub nobis,—sub anno censu trium millium unciarum auri,—et sub servitio centum militum equis et armis mu- nitorum decenter et bene, quocunque nos vel successor noster—asseruerit, eis Ecclesiam indigere Romanam. — Fredericus—habebit inimicos et Romanae Ecclesiae pro ini- micis suis,—quinimo—ad nostrum—mandatum intendit persequi toto posse.* After Frederick's death the island was to be surrendered to Charles II.

³¹ Bonif. epist. ad Albert. dd. 30. Apr. 1303, in Rayn. ad h. a. no. 2 ss.: *auctoritate apostolica et apostolicae plenitudine potestatis te in speciale filium nostrum recipimus et Ecclesiae Romanae, ac in Regem Romanorum assumimus, in Imperatorem, auctore Domino, promovendum,—supplentes omnem defectum, si quis aut ratione formae, aut ra- tione tuae vel tuorum electorum personarum, seu ex quavis alia ratione vel causa, sive quoconque modo in hujusmodi tua electione, coronatione ac administratione fuisse nos- catur. Omnia insuper et singula, per te vel alios de mandato tuo facta et habita in ad- ministracione praedicta, quae alias justa et licita extitissent, ita valere decernimus et tenere, sicut si administratio ipsa tibi competissc legitime nosceretur.* Boniface develops an entirely new system of civil rights, in the speech in council, by which he announces Albert's confirmation (ed. Baluzius under P. de Marca de conc. Sac. et Imp. lib. ii. c. 4, in Bohmer's edition, p. 103 s.): *Fecit Deus duo luminaria magna*, etc. (Gen. i. 16)—scil. solem, i. e. ecclesiastica potestatem, et lunam h. e. temporalem et imperiale, ut rege- ret universum. *Et sicut luna nullum lumen habet, nisi quod recipit a sole, sic nec aliqua terrena potestas aliquid habet, nisi quod recipit ab ecclesiastica potestate.* *Licet autem ita communiter consueverit intelligi, nos autem accipimus hic Imperatorem solem, qui est*

Philip now summoned the States a second time (13th June, 1303), in order to represent to them, by means of the heaviest accusations against the Pope, the necessity of calling together a gen-

futurus, et hoc est Regem Romanorum, qui promovendus est in Imperatorem, qui est sol, sicut Monarcha, qui habet omnes illuminare, et spirituale potestatem defendere.—Vicarius Jesu Christi et successor Petri potestatem Imperii a Graecis transtulit in Germanos, ut ipsi Germani—possint eligere Regem Romanorum, qui est promovendus in *Imperatorem et monarcham omnium Regum et Principum terrenorum.* *Nec insurgat hic superbia Gallicana, quae dicit, quod non recognoscit superiorem.* *Mentiuntur: quia de jure sunt et esse debent sub Rege Romano et Imperatore.* Et nescimus, unde hoc habuerint, vel adinvenerint, quia constat, quod Christiani subditi fuerunt monarchis Ecclesiae Romanae et esse debent.—Et nos volumus, quod quicunque evangelizaverit aliud, anathema sit.—Then follows his confirmation of Albert. Venit quidem tempus, ut constituamus cum super gentes et regna, ut evellat et destruat, dissipet et dispergat, et aedificet et plantet.—Sicut enim pater dedit filio potestatem non in tempore, sed in aeternitate, sic Christo homini et Christi vicario dedit potestatem in tempore, ut ipse habeat jus constituendi Imperatorem, et Imperium transferendi. Et attendant hic Germani, quia, sicut translatum est Imperium ab alis in ipsos, sic Christi vicarius, successor Petri habet potestatem transferendi Imperium a Germanis in alios quoscumque, si vellet, et hoc sine juris injuria. An expression of hope that Albert would imitate his father Rudolph. Si autem ipse vellet contrarium facere, non posset: quia nos non habemus alas nec manus ligatas, nec pedes compeditos, quin bene possimus eum reprimere et quemcunque alium Principem terrenum. Quidam enim Principes faciunt colligationes suas. Et audacter dicimus, quod si omnes Principes terreni essent hodie colligati contra nos et contra Ecclesiam istam, dum tamen nos habemus veritatem, et staremus pro veritate, appretiaremus eos unam festucam. Et sine dubio si veritatem et justitiam non haberemus, bene timeremus.—Igitur faciat bene Rex. Quia si bene defendet et recuperet jura sua et jura Regni et Imperii, audacter dicimus, quod nos defendemus plus jura sua quam nostra, et hoc contra quemeunque de mundo, et per nos firmabitur sententia sua et non flectetur. In an especial brief, the Pope annulled all treaties which Albert had made with other princes. (Rayn. 1303, no. 7). Albert, in return, engaged, in a letter dated Nurenberg, 17th July (Rayn. l. c. no. 8), to render the most humble obedience; he formally acknowledged, quod Romanum Imperium per sedem apostolicam de Graecis translatum est in persona magnifici Caroli in Germanos, et quod jus eligendi Romanorum Regem, in Imperatorem postmodum promovendum, certis Principibus ecclesiasticis et saecularibus est ab eadem sede concessum, *a qua Reges et Imperatores*, qui fuerunt et erunt pro tempore, *recipiunt temporalis gladii potestatem ad vindictam malefactorum, laudem vero bonorum;* he repeated all the oaths of his father Rudolph (see above, § 58, note 8), but in a new form undoubtedly prescribed by Rome, and with the important addition: paratum me offero, vos et apostolicae sedis primatum ac jura, et libertates vestras ac dictae sedis contra omnem hominem defendere et tueri, et esse contra quoscumque hostes et rebelles, adversarios seu inimicos sedis ejusdem, eujuscumque fuerint praecminentiae, ordinis, dignitatis et status, etiamsi regai vel imperiali praefigeant dignitate; nec cum talibus—foedus ineam, nec servabo, si quod forsan inivi;—quin potius ad mandatum vestrum—successorumque vestrorum—talibus guerram movebo, et pro posse impugnabo eosdem. However, Albert would not be led to join in the intended offensive war with France. According to Trithemii chron. Hirsaug. ad ann. 1301 (tom. ii. p. 86), he made this answer to the Pope, who offered him the kingdom of France: antiqua Regum provisione cautum, ne post divisionem Regni Francorum, quae facta est post mortem Caroli Imp. magni, Rex Francorum Orientalium, i. e. Theutonicorum sibi violenter regnum usurpet vel inquietet Gallorum, nec quisquam Regum Galliae—Regnum Theutonicorum, aut Imperium sibi quomodolibet usurpet Romanum. Unde cum ea Principum constitutio eatenus permanserat inviolata, sibi non videretur honestum, si primus ipse eam temeraverit.

eral council, and of making a solemn appeal from the reigning Pontiff to its decree.³² All the lingering religious scruples of the people were thrown down by these charges, and the French nation drew itself up in firm array on the side of its King for the impending struggle.

William of Nogaret, keeper of the King's Seal, was sent to Rome, there to announce this resolution; while Boniface, from his retreat at Anagni, hurled new Bulls against France.³³ However,

³² So early as the 12th March, the new keeper of the seal, William of Nogaret, had come forward with an accusation against the Pope (Du Puy, p. 56), and, when the States were summoned, had produced this as a reason for assembling a general council. In this session of the States four Barons, of whom Guil. de Plesscjano was spokesman, came forward as accusers of the Pope. Their 29 heads of accusation are in Du Puy, p. 101. Bulaeus, iv. 41. The Pope was charged with being haereticus perfectus : 1. Quia non credit immortalitatem — animarum rationalium.—4. Item quod fideliter non credit, quod verbis a Christo institutis, a fideli et recte ordinato Presbytero dictis in forma Ecclesiae super hostiam, fit ibi corpus verum. Et hinc est, quod nullam reverentiam vel modicam ei facit, cum elevatur a Sacerdote, nec ei assurgit, imo vero tergo assistit, et magis se honorari, et locum ubi sedet, ornari facit, quam altare ubi hostia consecratur.—9. Item ut suam damnatissimam memoriam perpetuam constituat, fecit imagines suas argenteas erigi in Ecclesiis, per hoc homines ad idolatriandum inducens.—12. Item publice praedicavit, Papam Rom. non posse committere simoniam, quod est haereticum dicere.—18. Item compulit sacerdotes aliquos, ut sibi revelarent confessiones hominum, et eas postea absque confitentium voluntate — publicavit.—20. Item statum et Ordinem Cardinalium deprimit et depresso, et Ordinem Monachorum nigrorum et alborum, fratrum Minorum et Praedicatorum, de quibus dixit multotiens, quod mundus perdebat per ipsos, et quod falsi hypocritae erant, etc.—21. His hatred against France; even before his accession to the see, he had said, quod, si esset Papa, potius vellet totam Christianitatem subvertere, quin Nationem destrueret, quam appellat superbiam Gallicorum.—22. For this reason he had sought to hinder peace between France and England, and wished to unite himself with Frederick of Sicily against Charles II. of Naples. Confirmavit etiam Regem Allemaniae in futurum Imperatorem, et publice praedicavit, quod hoc faciebat, ut destrueret Nationem, quam vocat superbiam Gallicorum, qui dicebant, se non subesse alicui temporaliter, dicens quod de hoc mentiebantur per gulam, declarando, quod quicunque, etsi Angelus de caelo descendens sit, dixerit, quod non subsint eidem et Regi Allemaniae, quod anathema sit (above, note 31). Et tamen antea saepius dixerat publice,—quod ille erat proditor domini sui, et quod ipsum proditorialiter interfecera, et non erat dignus dici et nominari Rex, nec debite electus (above, notes 15 and 18). Et inter eundem et Regem Franciae accordata pro bono pacis, in quibus jus utriusque salvaretur, dissolvit, etc. The other heads of accusation relate to his unchastity, magic arts, sodomy, cruelty, his conduct to his predecessor, Celestine, and so forth. Thereupon the King submitted to the States his Deed of Appeal (Du Puy, p. 107). Bulaeus, iv. 45 : ad praedictum generale Concilium, quod instanter convocari petimus, et ad verum legitimum futurum summum Pontificis vel alios, ad quem vel ad quos fuerit appellandum, provocamus et appellamus). All estates and corporations, also the prelates, Universities, and religious houses, in more than 700 deeds of assent, supported this appeal. (Bulaeus, iv. 46. Du Puy, p. 112.)

³³ The Bulls, dated Anagniae, 18. Kal. Sept. I. In all French Universities the right of granting academical degrees was suspended. Rayn. 1303, no. 38. Du Puy, p. 163. Bulaeus, iv. 54. II. The spiritual corporations were deprived of the right of election II. cc.—III Against the French accusations and the appeal. Du Puy, p. 166. Bulaeus, p. 55 ss.—IV. The suspension of the Archbishop of Nicosia, qui ipsum Regem callidis

on the 7th September, 1303, an attack was made upon him here, by Nogaret and Sciarra Colonna : he was personally maltreated by the latter, and taken prisoner. The townsmen of Anagni rescued him, indeed ; but a violent sickness, the consequence of that outrage, forthwith carried him off († 11th October, 1303).³⁴

Not the least injury which the Papal See suffered from the unbounded assumptions of Boniface VIII., was that the Pope's flatterers allowed themselves to be carried away by them to the most offensive statements of his secular supremacy,³⁵ while the writers of the opposite side were roused to their first investigations about the limits to be set to the Papal power.³⁶ Accordingly, the consid-

commentis ad hujusmodi rebellionem instigat, Rayn. l. c. no. 37. Du Puy, p. 162.—V. in Rayn. l. c. no. 40. Du Puy, p. 161 : statuimus, ut citationes auctoritate apostolica de quibuscunque personis, undecunque et ubicunque sint, cujuscunque status,—etiam si imperiali aut regali fulgeant dignitate, praesertim si impediunt, ne citationes ipsae ad eos perveniant,—factae in audiencia literarum nostrarum aut in aula nostri palati, postmodum affigendae januis majoris Ecclesiae loci, in quo Romana—residebit curia,—arcent citatos,—sicut si ipsas personaliter apprehendissent.—Lastly, on the 8th of September, the Bull of dethronement which had been already prepared (in Raynaldus, 1311, no. 44. Du Puy, p. 181. Bulaeus, iv. 57) would have been published, had not Nogaret's fall prevented it.

³⁴ Villani hist. Fiorent. lib. viii. c. 63. Bern. Guido in vita Bonif. VIII. in Murat. III. i. 672. Even Nogaret (Literae super excusationibus Dom. Guil. de Nog. in Du Puy, p. 249) quotes the saying, He shall die like a dog, as a prediction already current in Boniface's lifetime. After his death it was put into the mouth of his predecessor Celestine, see Matthaeus Westmonasteriensis (about 1377) flores historiarum, p. 447.

Vulpes intravit, tanquam leo pontificavit,
Exit utque canis, de divite factus inanis.

³⁵ Compare the second part of the work, *De Regimine Principum*, among the works of Thoma Aquinus, of which books i. and ii. belong to S. Thomas himself. according to the researches of de Rubeis (Thomae opp. ed. Venet. xix. 513), books iii. and iv. were written close after the year 1298. Lib. iii. c. 10^o: Cum Christo secundum suam humanitatem omnis sit collata potestas, ut patet in Math. 16, 18, dictam potestatem suo communicavit vicario, cum dixit : *Ego dico tibi, quia tu es Petrus, etc.*—Merito summus Pontifex, Romanus Episcopus, dici potest Rex et Sacerdos. Si enim Dominus noster Jesus Christus sic appellatur,—non videtur incongruum suum vocare successorem.—Corporale et temporale ex spirituali et perpetuo dependet, sicut corporis operatio ex virtute animae. Sicut ergo corpus per animam habet esse, virtutem et operationem,—ita et temporalis jurisdictio Principum per spiritualem Petri et successorum ejus —Cap. 16 : Rex noster Christus Principes saeculi permisit dominari et eo vivente, et eo moriente, ad tempus, quousque videlicet suum regnum esset perfectum, et ordinatum in suis fidelibus operationibus virtuosis, et eorum sanguine laureatum.—Opportuno igitur tempore, ut manifestaretur mundo regnum Christi compositum, virtus Principis nostri Jesu Christi Principem mundi sollicitavit, Constantium videlicet, percutiens eum lepra, ac ipsum curans supra humanam virtutem. Qua probata in dominio cessit vicario Christi, beato videlicet Sylvestro, cui de jure debebatur, ex causis et rationibus superiorius assignatis : in qua quidem cessione spirituali Christi regno adjunctum est temporale, spirituali manente in suo vigore.

³⁶ Foremost is Aegidii de Columna (he came from Rome, and so is also called Aegid. Romanus, an Augustine monk, after 1296 Archbishop of Bourges † 1316) *quaeristio in utramque partem disputata de potestate regia et pontifica*, annexed to the two aforementioned

eration of these events strengthened the conviction, not only in France, but in other nations also, that secular power was pernicious in the hands of a priest.³⁷

short letters of the Pope and King (see above, note 21 v.) in Goldasti *monarchia sancti Romani Imperii* ii. 95. He sets himself to answer the question: *utrum summus Pontifex plenam jurisdictionem et ordinariam potestatem habeat tam in temporalibus quam in spiritualibus, ita quod omnes Principes temporales subsint ei quantum ad temporalia?* and demonstrates, on the other hand, 1, quod utraque potestas spiritualis et temporalis a Deo est instituente et ordinante; 2, quod istae duae potestates distinctae sunt et divisae; 3, quod Deus spiritualem potestatem instituens, nullum contulit ei dominium terrenorum; 4, in quibus terrena potestas sit subjecta spirituali potestati, et in quibus non. 5, *Libertas et exemptione Regis Franciae, quare et qualiter nullum superiorem in temporalibus recognoscit.*—Yet more diffuse is Johannis de Parrhisiis (a Dominican monk in Paris † 1306) *trac-tatus de potestate regia et papali* in Goldast I. c. p. 108. e. g. cap. viii. quod Papa non habet jurisdictionem a Christo in bonis laicorum, quia Christus non habuit eam. Cap. xi.: *Evasiones quorundam dicentium, potestatem saecularem esse a Papa et in Papa, cum corum reprobatione.* Cap. xii.–xxi.: *Rationes dicentium, Papam habere jurisdictionem in temporalibus bonis, and the refutation of them.* Cap. xxii.: *De donatione Constantini, upon which the curialists grounded their proof, Quod summus Pontifex Imperator est, et dominus mundi, et quod potest Reges constituere et destituere, sicut Imperator.* In answer to this it was remarked, among other things, quia dicta donatio nihil valuit propter quatuor, quae in *Glossa juris civilis* ponuntur (cf. Aegidius de Columna: *de ista donatione Constantini dicunt Juristae communiter, quod non valuit multiplici ratione*). According to the legal grounds adduced from the *Glossa* (see above, § 54, note 4) we find further: *Quod vero [donatio illa] Deo displicerit, ex hoc sumitur argumentum quod legitur in vita b. Sylvestri Papae, quod in donatione illa auditæ est vox angelorum dicentium in aere: "Hodie in Ecclesia venenum effusum est."* Item b. Hieronymus dicit de isto Constantino, *quod ab ipso usque in praesens tempus Ecclesiarum rapinae et totius orbis discordia secuta est.* Dicit etiam Hieron. de eodem, *quod in tantam crudelitatem postea versus est, ut filium suum Crispum interficeret, et uxorem suam Faustam:* extremo etiam tempore vitae suae ab Eusebio Nicomediae baptizatus est: et sic bis baptizatus fuit, et amplius in Arianum dogma declinavit, etc.—Besides this, Gaul undoubtedly belonged to the Western empire, but not the Franks, who were descended from the Trojans, and came under Antenor to Pannonia.

³⁷ We have the opinion of two poets of the time on this point. Dante Alighieri († 1321) *Purgatory, canto xvi. v. 97 ss.*, according to Wright's translation. The vision falls in the year 1300, so one can not fail to recognize Boniface VIII., and his acts and endeavors:

Laws are these; but who keeps the laws in view?
 For know,—the Shepherd who the flock doth lead
 Parts not the hoof, although the cud he chew.
 And hence it is, the tribe who see their guide
 Aim at the good they value most, do feed
 On that alone, nor care for aught beside.
 Ill guidance, as ye plainly may descry,
 Hath led the world in wicked paths astray;
 And not your nature's bad propensity.
 To Rome, which taught the ancient world good deeds,
 Two suns were wont to point the twofold way,
 That of the world, and that to God which leads.
 The one hath quenched the other,—with the crook,
 The sword is joined; and scarce it need be told
 How ill the twain such combination brook,
 Since one no longer doth the other curb.
 Look to the grain, if credit thou withhold,
 For by its fruit is known each several herb.

Even in Rome the feeling that Boniface had gone too far was general.³⁸ And when Philip and the French nation continued to

The country washed by CEdice and Po
 For courtesy and valor once was famed,
 Ere Frederick had sustained his overthrow.
 Securely there may pass the villain now,
 Who dared not erst have shown his face, ashamed
 To talk with good men and confront their brow.
 Still live these three, in whom the olden time
 Reproves the vices of these latter days—
 And much they wished to reach a happier clime—
 Currado da Palazzo, good Gherard,
 And da Castel, who in the Frenchman's phrase
 Is called more properly the plain Lombard.
 Know then—Rome's Church oppressed by too much weight,
 Confounding the two governments, hath brought
 Herself into the mire with all her freight.*

Ottocar v. Horneck, a Steiermarker, about 1309, Reimchronik, cap. 448 (in H. Pezii scriptt. rer. Austr. III. 446) :

Ey Chaiser Constantin,
 War tet du dein Sin,
 Do du den Phaffen geb
 Den Gewalt und daz Urleb,
 Daz Stet, Purger und Lant
 Undertanig irr Hant
 Und irnm Gewalt schold wesen ?
 Gaistlicher Zuchte-Pesem
 Ist nu ze scharff worden.
 Du soldest in dem Orden
 Die Phaffen haben Ian,
 Als sein Sand Peter began :
 Daz wer hoher Miete (reward) wert.
 Waz woldestu daz Swert
 Den Phaffen zu der Stol geben,
 Die damit nichts chunnen leben,
 Noch ze Recht chunnen walten,
 Lazzen und behalten,
 Als man mit dem Swert sol ?
 Daz chunnen si nicht wol,
 Sie habent ez vergramaziert (received with grand merci),
 Und daz Reich veriert (destroyed)
 Maniger Ern und Gewalt,
 Deu ym vor waz beczalt.
 Constantin nu sich an,
 Hetets Du ze Latran
 Den Pabst den Salter (Psalter) lazzen lesen,
 Und den Chaiser gewaltig wesen,
 Als er vor deinen Zeiten was,
 So wer unser Spiegel-Glasz,
 Akersz (Acre or Ptolemais) deu werd Stat,
 Nicht verlorn so drat (quickly).

³⁸ Albericus de Rosate (Jurist at Bergamo † 1354) tells us in his *Lectura super Cod. lib. vii. tit. 39*: De quadrienni praescriptione l. 3. Bene a Zenone : Audivi a fide dignis, quod tempore Bonifacii VIII. quidam Cardinalis de ordine Cisterciensium, homo maximae reputationis et scientiae, quadam festivitate dum sermocinaretur in conclusione dix-

* I have substituted this translation, made from the original by Ichabod Charles Wright, M.A., published in London, 1836, for that of K. Streckfuss. Halle, 1825. 8. quoted by the author.—T.

press for a Council,³⁹ Benedict XI. found himself so much the more induced to repeal gradually all the decrees issued by his predecessor against France.⁴⁰

But after the death of Benedict XI. († 7th July, 1304) the French party among the Cardinals, after a long conclave, contrived to manage that Bertrand d'Agoust, archbishop of Bordeaux, who had already delivered himself over into Philip's hands by a secret compact, should ascend the Papal throne as Clement V. (5th June, 1305).⁴¹ Thus the Papal See fell under the influence of France, and began a fresh career.

it, quod per eosdem passus et gradus, per quos Ecclesia ascenderat in temporalibus, de-scenderet usque ad extremam paupertatem Sylvestri, et quod ad hoc adduxit validas ratio-nes et auctoritates divinae Scripturae.

³⁹ Compare la supplication du pueble de France au Roy contre le Pape Boniface le VIII., not long after the death of the last mentioned (Bulaeus, iv. 15. Du Puy, p. 214): A vous, tres-noble Prince, nostre Sire par la grace de Dieu Roy de France, supplie et re-quiert le peuple de vostre Royaume, pourcequ'il li appartient, que ce soit fait, que vous gardiez la souveraine franchise de vostre Royaume, qui est telle, que vous ne recognes-siez de vostre Temporel Souverain en terre hors que Dieu, et que vous faciez declairer, si que tout le monde le sache, que le Pape Boniface erra manifestement et fist peché mor-tel notoirement, en vous mandant par lettres Bullées, qu'il estoit vostre Souverain de vostre Temporel, et que vous ne pouvez prevendes donner, ne les fruits des Eglises ca-thedrales vacans retenir, et que tous ceux qui croient le contraire, il tenoit pour Hereges.

Item, que vous faciez declairer, que l'en doit tenir ledit Pape pour Herege,—pourcequ'il ne veut cette erreur rapeller, ayant dit moult de fois, qu'en cette creance vivroit et mour-roit, et que ja pour nul homme ce ne rappelleroit, etc. An interesting historical proof that the priesthood and temporal sovereignty have always been distinct. Ce fut grand abomination a our, que ce Boniface, pourceque Dieu dist à saint Pierre “*ce que tu lieras en terra, sera lié au ciel*,” cette parole de spirituellement, entendit mallement, comme Boul-gare, quant au Temporel, se il mit un homme en prison temporelle, le mist pour ce Dieu en prison en ciel. At the end: pourquoi il pert raisonnablement, qu'il fut Herege, et en cette herreur mourut, et s'aucun vouloit ledit Boniface excuser de tout cest esclandre, etc.—Parquoy que aucun autre ne preigne exemple à faire ainsi, et pourceque la peine de luy face paour aux autres.—vous noble Roy sur tous autres Princes defenseur de la foy, de-structeur des Boulgres, pouez et devez et estes tenus requerer et procurer, que ledit Bo-niface soit tenus et jugiez pour Herege, et punis en la maniere, que l'en le pourra et de-vra, et doit faire apres sa mort: si que vostre souveraine franchise soit gardé, etc.

⁴⁰ See all the Bulls issued with this view in Du Puy preuves, p. 207.

⁴¹ Compare the account given by the writers of the day Ferreti Vicentini (about 1328) hist. suorum temporum in Muratori scriptt. rer. It ix. 1014, and Giovanni Villani († 1348) histor. Fiorentine lib. viii. c. 80 in Muratori xiii. 415 ss.

II. ECCLESIASTICAL DEVELOPMENT OF THE PAPACY.

§ 60.

PAPAL JURISPRUDENCE.

Spittler's Werke, herausg. v. K. Wachter, i. 305 (Fragm. aus einem zweiten Theile d. Gesch. d. kan. Rechts). J. J. Lang, Gesch. u. Institutionen des Kirchenrechts, i. 215. Eichhorn's Kirchenrecht, i. 322. Dass. deutsche Staats- und Rechtsgeschichte (4te Aufl.), ii. 247. Richter's Kirchenrecht (2te Aufl.), s. 135. [Sugenheim, Geschichte d. Kirchenstaats, 1854. Phillips, Kirchenrecht, 3te Auflage, 1855, cf. Nieder, Kirchengesch.].

The old canon Law was quite displaced at this period by the new Papal rights built upon the foundation of the Pseudo-Isidorian principles. After that the Decretals had been intermingled with the Canons by several systematical compilers,¹ and thereby acquired equal authority with them on all points; the Benedictine² Gratian at Bologna, the abode of legal knowledge at that time, essayed a *concordantia discordantium Canonum libb. iii.*³ (1150),⁴ which naturally enough decided throughout in favor of the new Papal Law.⁵ By means of this work, the canon Law, together

¹ On these see Ballerini de ant. collect. canonum P. iv. c. 13 ss. (in Gallandii sylloge ed. Magont, i. 640), v. Savigny's Gesch. d. röm. Rechts im Mittelalter, 274. Aem. L. Richter's Beiträge zur Kenntniß der Quellen des can. Rechts. Leipzig, 1834. H. Wasserschleben's Beiträge zur Gesch. d. vorgratianischen Kirchenrechtsquellen, Leipz. 1839. Among them Burchard, bishop of Worms († 1025), is remarkable for his *Decretorum libb. xx.*, and Ivo, bishop of Chartres († 1115), for his *Decretum*, and the *Pannormia*, an abridgment from it (against Theiner über Ivo's vermeintl. Decret. Mainz, 1832, according to whom the *Decretum* is the work of some later author, see Wasserschleben, s. 47).

² According to Spittler's Beiträge, s. 4. a Camaldulensis.

³ Commonly called the *Decretum Gratiani*, see Spittler, s. 12.

⁴ According to the *Glossa ad c. ii. qu. 6 c. 31* (which is even found in one of the most ancient Glossers, Hugo, bishop of Ferrara († 1210), see Gerhardi Groot sermo in Kist en Royaards Archief voor kerkelijke Geschiedenis, ii. 312): anno Dom. MCL. ut ex Chronicis patet.

⁵ For the history of the *Decretal*, see J. H. Boehmeri diss. de varia *decreti Gratiani fortuna*, published in his *Corpus jur. can. Tom. i.* (Spittler's) Beiträge zur Geschichte Gratiants und seines Decreti, in Abele's *Magazin für Kirchenrecht und Kirchengesch.* St. i. (Leipz. 1778. 8.) s. 1. ff. (*Sarti de claris Archigymnasii Bononiensis professoribus* (ed. M. Fattorini. PP. ii. Bonon. 1769 and 72) P. i. p. 247 ss.—On Gratian's mistakes, false and mutilated quotations, reception of forged documents, see Antonii Augustini (Archbishop of Tarragona) *de emendatione Gratiani dialogorum libb. ii.* Tarrac, 1587. 4. (cum not. St. Baluzii et G. Mastricht, in Gallandii de vetustis canonum collectionibus dissertationum sylloge, ed. Magont. ii. 185). The principal work is C. S. Berardi *Gratiani canonum genuini ab apocryphis discreti, corrupti ad emendatorum codicum fidem exacti, etc.* Taurini. Tomi iv. 1752. 4. Jod. le Platt diss. de spuris in Gratiano canonibus (in Gallandii syll. ii. 801). J. A. de Rieger diss. de Gratiani collectione canonum, illiusque

with the Roman Law, became the subject of zealous and scientific study at Bologna and Paris,⁶ and Gratian as well as Justinian had numerous commentators.⁷ But by this means the contradictions of the old and new Law,⁸ which had been but imperfectly adjusted by Gratian, were brought out in such numbers that the Popes were incessantly forced to fresh decisions. Thus countless decretals appeared,⁹ whose daily increasing mass threatened to cause the greatest perplexity,¹⁰ till Gregory IX. caused a system-

methodo et mendis (in Oblectam. hist. et jur. eccl. i. 1). Richter de emendatoribus Gratiani diss. Lips. 1835.

⁶ Decretistae and Doctores decretorum in opposition to Legistae and Doctores legum. The confirmation of the Decretal by Eugene III. 1152, is most likely fictitious, Spittler, s. 14 ff. Eichhorn's Rechtsgesch. ii. 255. But even Popes appeal to it, Boehmer diss. p. xviii.

⁷ Concerning them Guido Pancirolus de claris legum interpretibus (Lips. 1721. 4.) lib. iii. c. 6. Lang, Gesch. u. Instit. des Kirchenrechts, I. 259. The most remarkable of these is John Semeca, provost of Halberstadt (Magister Teutonicus † 1245, see Niemann's Gesch. v. Halberstadt, I. 343); from his glosses arose the *glossa ordinaria*, which received its last shape from Barthol. von Brixen († 1258).

⁸ Hence the decree of a Cistercian Chapter in the year 1188 (Martene thesaur. anecdot. iv. 1263): Liber, qui dicitur canonum, sive decreta Gratiani, apud eos qui habuerint secretius custodianter, ut cum opus fuerit preferantur. In communi armario non resideant propter varios, qui inde provenire possent, errores.

⁹ Most of them were issued by Alexander III. and Innocent III.

¹⁰ On the collections made before Gregory IX. see Henricus Card. Ostiensis (about 1250) summa super titulis decretalium, p. 4: tam ex dictis ss. Patrum quam legibus fuit liber Decretorum compositus.—Postea vero cum multae decretales epistolae extra corpus Decretorum vagarentur, Mag. Bernardus, Papiensis Praepositus, primum compilationem composuit. Sed et tempore procedente Mag. Guilebertus suam effecit. Aliam et Alanus. Deinde Mag. Bernardus Compostellanus, in Curia Romana moram faciens, ex registro domini Innocentii III. quandam compilationem extraxit, quae *Romana* appellata fuit. Sed quia ibi erant quaedam decretales, quas non admittebat Romana Curia, ideo idem Innocentius per manum Petri Beneventani compilationem edidit, quae *tertia* vocabatur. Qua recepta Mag. Johannes Walensis de duabus dictis compilationibus Guileberti et Alani unam compilavit, quae vocabatur *secunda*. Postmodum concilio generali per eundem Innocentium celebrato, tam de constitutionibus generalis concilii quam aliis decretalibus ipsius Innocentii compilatio *quarta* processit. Postremo *quinta* compilatio per Honorium III. facta fuit. Et si ea, quae praemis, bene attenderis, octo compilationes poteris invenire. Ideo bene congruebat, ut Gregorius IX. faceret opus nonum. Boehmer de decretalium pontificum Romanorum variis collectionibus et fortuna prefixed to his Corpus juris can. II. xxiii. A. Theineri comm. de Romanorum Pontificum epistolaram decretalium antiquis collectionibus et de Gregorii IX., P. M. decretalium codice. Lips. 1829. 4. Recherches sur plusieurs collections inédites de décretales du moyen âge par Aug. Theiner. Paris, 1832. 8. Lang, s. 228. Eichhorn's Kirchenrecht, I. 336. His, deutsche Rechtsgesch. ii. 259. Richter's Kirchenr. s. 141. Besides the incompleteness which was soon continually recurring, we have to remark the wholesale falsifying and forgery of Decretals, of which Innocent III. lib. i. epist. 349, gives nine sorts (comp. Decret. Gregor. lib. V. tit. 20, de crimine falsi, and lib. ii. tit. 22, de fide instrumentorum). Thence the complaints of Stephen, bishop of Tournay (from 1192 to 1200), epist. 251, ad Coelstimum P. III. (in ed. Car. du Molinet, Paris, 1679, p. 366, more correctly in the Notices et extraits des mss. de la biblioth. du Roi X. ii. 101): si ventum fuerit ad judicia, quac-

atical code, chiefly drawn from the Papal Decretals (*Decretarium Gregorii P. IX. libb. v.* 1234),¹¹ to be prepared by the Dominican Raymund de Pennaforti; which even in this period of time (1298) was increased under Boniface VIII. by a *liber sextus* gathered from the later decretals, divided likewise into five books.¹² When the Decretals began to be unfolded into a complete legislative system, professorial chairs were appropriated to them at the Universities,¹³ by means of which the Popes at once acquired a convenient method for the speedy and universal publication of the new laws as they appeared.¹⁴ On the other hand, Gratian's Decretal was continually more and more neglected, and together with the use of it disappeared every trace of the ancient canon law.¹⁵

§ 61.

EXTENSION OF THE IDEA OF THE PAPACY.

The Pseudo-Isidorian Idea that the Pope was the Episcopus universalis of the Church,¹ was now developed by the ambition of the Popes and the cringing flattery of their creatures, favored by the state of polities and the ignorance of the age,² to a degree

jure canonico sunt tractanda,—profertur a venditoribus inextricabilis silva decretalium epistolarum, quasi sub nomine sanctae recordationis Alexandri Papae et antiquiores sacri canones abjiciuntur, respuuntur, expsuuntur. Hoc involuero prolato in medium ea, quae in concilis ss. PP. salubriter instituta sunt, nec formam conciliorum, nec finem negotiorum imponunt, praevalentibus epistolis, quas forsitan advocati conductitii sub nomine Romanorum Pontificum in apothecis sive cubiculis suis configunt et conscribunt. Novum volumen ex eis compactum et in scholis solemniter legitur, et in foro venaliter exponitur, applaudente coetu notariorum, qui in conserbendis suspectis opusculis et labore suum gaudent imminui, et mercedem augeri.

¹¹ Henricus Ostiensis, l. c. *Dictus dominus Gregorius tantam confusione et prolixitatem removere cupiens, ex dictis decretis, decretalibus epistolis, et dictis ss. Patrum, ac legibus antiquis, compilationibus decretalium abrogatis voluit necessaria et utilia redigere in hunc librum.*

¹² Eichhorn's Kirchenr. i. 345. Richter's Kirchenr. s. 143.

¹³ Decretaliste or Decretistae. The Decretales Gregor. are indebted for their glossa ordinaria to Bernard de Botono from Parma, Canon at Bologna († 1266), see Lang s. 262; the liber sextus to John Andreae, Decretalist in Bologna († 1348, see Savigny, vi. 87).

¹⁴ Compare the brief with which Innocent IV. dispatches the decrees, *Conc. Lugdun. ann. 1245, universitati magistrorum et scholarum Bononiae commorantibus* (*Mansi xxiii. 651*), quatenus eis, quas sub bulla nostra vobis transmittimus, uti velitis amodo tam in judiciis, quam in scholis, ipsas sub suis titulis, prout super qualibet earum exprimitur, inseri facientes.

¹⁵ Rogeri Bacon opus majus (about 1266) ed. Jebb. p. 250. Gratianus multa scripsit jura, quae nunc abrogata sunt, sententia saniore praevalente.

¹ See Part I, § 20, note 8. Above, § 47, note 3.

² Hence it was that the mass of forged evidence, which may be found in Thomas

never anticipated in former times. Bishops were degraded to be merely vicars of the Pope,³ who had advanced since the time of

Aquinas, especially in his opusc. contra errores Graecorum, could be attributed to the ancient Greek Fathers. Thus Cyril of Alexandria, in libro thesaurorum, is represented as having said, among other sayings of the same kind (see Thomas in sent. lib. iv. dist. 24. qu. 3. art. 2): ut membra maneamus in capite nostro, apostolico throno Romanorum Pontificum, a quo nostrum est quaerere, quid credere, et quid tenere debeamus, ipsum venerantes. ipsum rogantes prae omnibus: quoniam ipsius solius est reprehendere, corrigerem, statuere, disponere, solvere, et ligare loco illius, qui ipsum aedificavit: et nulli ali quod suum est plenum, sed ipsi soli dedit, cui omnes jure divino caput inclinant, et primates mundi, tanquam ipsi Domino Iesu Christo, obediunt. Thomas, in his opusc. adv. Graecos, quotes as a canon of the Council of Chalcedon: Si quis Episcopus praedicatur infamis, liberam habeat sententiam appellandi ad beatissimum Episcopum antiquae Romae: quia habemus Petrum patrem refugii, et ipsi soli libera potestate loco Dei sit jus discernendi Episcopi criminati infamiam secundum claves a Domino sibi datas. — Et omnia ab eo diffinita teneantur tanquam a Vicario apostolici throni. See these passages gathered and criticised in J. Launoi lib. i. epist. 1–3 (Opp. V. i. 1). Other passages were corrupted. S. Augustini de doct. Christ. lib. ii. cap. 8, § 12, reads thus in Gratian P. i. dist. 19, c. 6: In canonicis scripturis Ecclesiarum catholicarum quamplurimum divinarum Scripturarum solertissimus indagator auctoritatem sequatur, inter quas sane illae sint, quas apostolica sedes habere, et ab ea alii meruerunt accipere epistolam. The genuine text is: In canonicis autem scripturis Ecclesiarum catholicarum quamplurimum auctoritatem sequatur: inter quas sane illae sunt, quae apostolicas sedes habere, et epistolam accipere meruerunt.

³ Bernoldi Constant. apologeticus pro decretis Gregorii VII. (s. § 47, not. 40) cap. 23: quilibet Episcopus nec super gregem sibi commissum tantam potestatem habet, quantum Praesul apostolicus, qui, licet curam suam in singulos Episcopos divisiter, nullo modo tamen seipsum sua universali et principali potestate privavit: sicut nec Rex suam regalem potentiam diminuit, licet regnum suum in diversos duces, comites sive judices divisorit. Cap. 24: His autem rationibus et hoc declaratur, quod cuiusvis Episcopi parochianus potius domno Apostolico, quam proprio Episcopo obedire debet. Innocent II. in his opening speech to the second Lateran Council, ann. 1139 (ex chron. Mauriniacensi in Mansi xxi. 534): Nostis, quia Roma caput est mundi, et quia a Romani Pontificis licentia ecclesiastici honoris celsitudo quasi feudalis juris consuetudine suscipitur, et sine ejus permissione legaliter non tenetur. Innocent III. lib. i. epist. 350: Sic apostolica sedes inter fratres et Coepiscopos nostros pastoralis dispensavit oneris gravitatem, sic eos in creditae sibi solitudinis partem assumpsit, nt nihil sibi subtraheret de plenitudine potestatis, quo minus de singulis causis ecclesiasticis inquire possit, et cum voluerit judicare. Ibid. epist. 495 ad Archiepisc. et Decanum Senonensem and epist. 496 ad Pictav. et Cenoman. Episcopos: Potestatis apostolicae plenitudo longe lateque diffusa, licet ubique praesens potentialiter habeatur, tamen quia ea, quae ad tantum officium pertinent, per se, prout singulis expediret, non valet praesimaliter exercere, tam vos quam alios ministros Ecclesiarum in partem solitudinis advocavit, ut sic tanti onus officii per subsidiarias actiones commodius supportetur. For this reason Innocent III. in Decretal. Gregor. lib. iii. tit. 8, cap. 5, calls the sphere of the bishops commissam nostrae solitudinis partem. Thomas Aquinas, in Sent. lib. ii. dist. 44, qu. 2, in fine: Potestas superior et inferior dupliciter possunt se habere. Aut ita, quod inferior potestas ex toto oriatur a superiori; et tunc tota virtus inferioris fundatur supra virtutem superioris, et tunc simpli citer et in omnibus est magis obediendum potestati superiori, quam inferiori:—et sic se habet potestas Dei ad omnem potestatem creatam; sic etiam se habet potestas Imperatoris ad potestatem proconsulis: sic etiam se habet potestas Papae ad omnem spiritualem potestatem in Ecclesia: quia ab ipso Papa gradus dignitatum diversi in Ecclesia et disponuntur et ordinantur: unde ejus potestas est quoddam Ecclesiae fundamentum, ut patet Matth. xvi. Et ideo in omnibus magis tenemur obediare Papae quam Episcopis, vel Ar-

Innocent III. from being the Vicarius Petri,⁴ to be the Vicarius Dei or Christi:⁵ as such he surrounded himself with a peculiar pomp of sanctity.⁶ Not only did the legislative power of the Church pass so exclusively into his hands,⁷ that nothing more

chiepiscopis, vel Monachus Abbatii absque ulla distinctione. Potest iterum potestas superior et inferior ita se habere, quod ambae oriuntur ex una quadam supra potestate: —et hoc modo se habent potestates et Episcopi et Archiepiscopi descendentes a Papac potestate.—Papa utriusque potestatis apicem tenet, scilicet spiritualis et saecularis. Ideo in Sent. lib. iv. dist 20, art. 4, solutio 3: Papa habet plenitudinem pontificalis potestatis, quasi Rex in regno: sed Episcopi assumuntur in partem solicitudinis, quasi judices singulis civitatibus praepositi. In the speech delivered by Cardinal Portuensis at the Papal Consistory in the year 1302 (see above, § 59 note 25), the following passage occurs, in Bulaeus, iv. 30: A summo Pontifice Episcopi, etiam Archiepiscopi habent determinatam provinciam, et sunt assumpti in partem solicitudinis: unde habent certam potestatem, summus Pontifex habet plenissimam: nullus est, qui possit eam limitare.

⁴ See part i. § 4, not. 3, 7, § 7, not. 26. Neither did Gregory VII. assume the title of the vicar of Christ in the oath quoted above, § 47, note 38, nor even Alexander III. in the treaty of peace with Frederick II. no. 4. (see § 52, note 22).

⁵ Innocentii III. lib. 1, epist. 326, ad Faventin. Episc. Summus Pontifex non hominis puri, sed veri Dei vere Vicarius appellatur. Nam quamvis simus Apostolorum Principis successores, non tamen ejus aut alicujus Apostoli vel hominis, sed ipsius sumus Vicarii Iesu Christi. Unde quos Deus spirituali coniunctione ligavit, non homo, quia non Vicarius hominis, sed Deus, quia Dei Vicarius, separat, cum Episcopos a suis sedibus per eorum cessionem, depositionem et translationem aliquando removemus.—Lib. i. epist. 335. (Decr. Greg. I. tit. 7, c. 3): Non enim homo sed Deus separat, quod Romanus Pontifex, qui non puri hominis, sed veri Dei vicem gerit in terris,—non humana sed divina potius auctoritate dissolvit. To this is added the Gloss: Unde dicitur habere caelestis arbitrium (cod. de sum. trin. l. 1. in f.), et ideo etiam naturam rerum immutat, substantia lia unius rei applicando alii (arg. C. communia de leg. l. 2), et de nullo potest aliquid facere (C. rei uxori. act. l. unica in princ. et de consecr. dist. 2, c. 69), et sententiam, quae nulla est, facit aliquam (Caus. iii. qu. 6, c. 10); quia in his, quae vult, ei est pro ratione voluntas (Instit. de jure natur. § sed quod principi, i. e. Justiniani instit. lib. i. tit. 2, § 6). Nec est, qui ei dicat, cur ita facis? (De poen. dist. 3, c. 22.) Ipse enim potest supra jus dispensare (infra lib. iii. tit. 8, c. 4), idem de injustitia potest facere justitiam, corrigendo jura et mutando (lib. ii. tit. 28, c. 59, lib. iv. tit. 14, c. 8), et plenitudinem obtinet potestatis (caus. ii. qu. 6, c. 11).

⁶ To this belongs, 1, according to Gregory, Dictatus 10, quod solius Papae pedes omnes Principes doceulentur. This was an oriental sign of homage which came into the Western World through Constantinople. It had often been rendered both to Emperors and Bishops. The Popes now claimed it as a proof of allegiance to themselves, just as they demanded from Princes officium stratoris (see § 52, note 5), cf. Lud. Thomassini *vetus et nova Ecclesiae disciplina circa beneficia P. ii.* lib. 3, c. 65. But, 2, still more offensive was the peculiar way in which the Popes received the Lord's Supper, see Guil. Durantis (the elder, † 1296) *rationale divin. offic.* lib. iv. c. 54, § 5: Ascendens sedem, ibi communicat (a more particular description is to be found in Innocent III., *de mysterio Missae* lib. vi. c. 9). Qui in Ecclesia militante summus Pontifex, sicut Christi vicarius et caput omnium Praelatorum, perfectius Christum repreäsentat, congruum est, ut ipse non in altari, sed in loco sublimiori communicet. Compare above, § 59, note 32, the fourth charge. Thus also it became customary that the Eucharist should be carried before the Pope when he journeyed. Thomassinus l. c. § 7.

⁷ Gregory VII., even in his day, assigned to the Pope the right of legislating. Dictatus 7: quod illi soli licet pro temporis necessitate novas leges condere. Urbanus II. in Gratian. II. caus. xxv. qu. 1, c. 6: Sunt quidam, dicentes, Romano Pontifici semper licuisse

than a deliberative voice was allowed to councils;⁸ but also he was so entirely master of the laws, that he was not bound by them himself,⁹ and in the case of others had power to dispense with them *ante factum*,¹⁰ as well as to absolve from

novas condere leges. Quod et nos non solum non negamus, sed etiam valde affirmamus. Scendum vero summopere est, quia inde novas leges condere potest, unde Evangelistae aliquid et Prophetae nequaquam dixerunt. Ubi vero aperte Dominus vel ejus Apostoli et eos sequentes sancti Patres sententialiter aliquid definierunt, ibi non novam legem Romanus Pontifex dare, sed potius, quod praedicatum est, usque ad animam et sanguinem confirmare debet. Si enim, quod docuerunt Apostoli et Prophetae, destruere (quod absit) niteretur, non sententiam dare, sed magis errare convinceretur. Yet the Hildebrand party, in the quarrel about investiture, attacked the decree of Nicolas II. on the Papal election, with reasons by which the Pope's right of legislation in general would be greatly weakened, see § 47, note 41. However, this was transient. Lucas Tudensis (about 1236) adv. Albigenenses, II. c. 1: In scrinio ejus pectoris totius juris summa consistit. He was imitated by Boniface VIII. Sexti lib. i. tit. 2, c. 1: Romanus Pontifex jura omnia in scrinio pectoris sui censetur habere, cf. Thomas Aquinas opusc. contra impugnantes religionem, cap. 4. Quod objicitur, quod Romanae sedis auctoritas non potest aliquid condere vel mutare contra statuta sanctorum Patrum, dicendum, quod verum est in illis, quae statuta Sanctorum determinaverunt esse de jure divino, sicut articuli fidei, qui determinati sunt per concilia sed illa quae sancti Patres determinaverunt esse de jure positivo, sunt relicta sub dispositione Papae, ut possit ea mutare, vel dispensare secundum opportunitates temporum vel negotiorum. Sancti enim Patres in conciliis congregati nihil statuere possunt nisi auctoritate Romani Pontificis interveniente, sine qua etiam nec concilium congregari potest. Nec tamen Papa quando aliquid aliter facit, quam a sanctis Patribus statutum sit, contra eorum statuta facit: quia servatur intentio statuentium, etiamsi non servantur verba statutorum, quae non possunt in omnibus casibus et in omnibus temporibus observari, servata intentione statuentium, quae est utilitas Ecclesiae; sicut et in omni iure positivo accidit.—Nec hoc est verum, quod Papa non possit aliquid facere contra Apostolum: dispensat enim cum bigamo, et in poena, quam canones Apostolorum statuerunt Presbytero fornicanti. Ex decreto autem inducto (Urbani II., see above) non potest amplius haberri, nisi quod Papa non potest destruere canonicam scripturam Apostolorum et Phrophetarum, quae est ecclesiasticae fidei fundamentum.

⁸ Paschalis II. ad Archiep. Salonae ann. 1102 (see below, § 62, note 4). Ajunt in conciliis statutum non inveniri, namely the new Metropolitan oath. To this he answered: quasi Romanae Ecclesiae legem concilia ulla praefixerint, cum omnia concilia per Romanae Ecclesiae auctoritatem et facta sint, et robur acceperint, et in eorum statutis Romani Pontificis patenter excipiatur auctoritas. From the time of Innocent III. all decrees of a council at which the Pope was present were drawn up in the Pope's name, sacro approbante concilio, or, sacro praesente concilio. For instance, Concil. Lateran. IV. ann. 1215, c. 5: *sacra universalis Synodo approbante sancimus ut, etc.*

⁹ Thus it was asserted by many jurists of the 13th century, quod in curia Romana non committitur simonia. Henricus Card. Ostiensis (about 1260) says on this point, Comm. in Decret. Greg. lib. v. tit. 4, c. 1: quod omnino verum videtur in his, quae simoniaca sunt, quia prohibita, h. e. ex constitutione canonica, *dummodo fiat auctore Principe et sciente*. For in provisions against simony the fundamental principle, *non ligat promulgantem*, according to Digest. lib. i. tit. 4, comes into operation. Still he adds: quamvis autem in hoc casu simonia non committatur, administrus tamen infamia non tollitur.—Accordingly, after the time of Innocent IV. the Popes introduced into their bulls the well-known formula, *non obstante*, by virtue of which all opposing rights, laws, and prohibitions were suspended for the occasion. Compare Roberti Ep. Lincoln. epist. below, § 62, note 22.

¹⁰ The earlier dispensations did not give veniam canonis infringendi, but only infraicti, and were granted by bishops also. (See de Marca lib. iii. c. 14, especially Thomassinus

oaths.¹¹ At the same time, the doctrine of Papal infallibility began to take shape.¹²

P. ii. l. iii. c. 24–28.) Innocentius III. lib. xvi. epist. 154 (quoted by Raumer, vi. 243, from the *Regesta Honor. III.* inedit.): *Ascitus alius in partem sollicitudinis summus Pontifex assumptus est in plenitudinem potestatis: qui cum moderator sit canonum, juri non facit injuriam, si dispensat.* Idem (*Decretal. Gregor. III.* tit. 8, c. 4): *secundum plenitudinem potestatis de jure possumus supra jus dispensare.* The Gloss upon this says: *Nam contra Apostolum dispensat (dist. 34, c. 18) et contra canones Apostolorum (dist. 82, c. 5), item contra vetus testamentum in decimus non dandis (Decret. Gregor. III. tit 30, c. 10), item in voto (Decret. Greg. III. tit. 34, c. 1), item in juramento (caus. xv. qu. 6, c. 2, Decr. Greg. I. tit. 3, c. 19).*—*Tamen contra universalem Ecclesiae statum dispensare non potest (caus. xxiv. qu. 1. c. 10), nec potest dispensare, quod monachus habeat proprium (Decr. Greg. III. tit. 35, c. 6), nec contra quatuor Evangelia (dist. xiv. c. 2), nec contra praeceptum Apostoli (caus. xxv. qu. 1, c. 6), quod intelligo in iis, quae spectant ad articulos fidei.* Likewise also the Gloss on *Caus. xv. qu. 6, c. 2:* *Dico enim, quod contra jus naturale [Papa] potest dispensare, dum tamen non contra Evangelium vel contra articulos fidei: tamen contra Apostolum dispensat (dist. 34, c. 18; dist. 82, c. 5).* Thomas Aquin. *quaest. quodlibetalis iv. art. 13:* *Papa habet plenitudinem potestatis in Ecclesia, ita scilicet, quod quaecumque sunt instituta per Ecclesiam, vel Ecclesiae Praelatos, sunt dispensabilia a Papa.* *Haec enim sunt quae dicuntur esse juris humani, vel juris positivi.* Circa ea vero, quae sunt juris divini, vel juris naturalis, dispensare non potest, quia ista habent efficaciam ex institutione divina.—In solis his quae sunt de lege naturae, et in articulis fidei, et sacramentis novae legis dispensare non potest.

¹¹ Thomas Aquin. in *Summa, Secunda Secundae* qu. 89, art. 9: *Quandoque aliquid sub juramento promittitur, de quo dubium est, utrum sit licitum vel illicitum, proficuum vel nocivum, aut simpliciter, aut in aliquo casu: et in hoc potest quilibet Episcopus dispensare.* Qundoque vero sub juramento promittitur aliquid, quod est manifeste licitum et utile: et in tali juramento non videtur habere locum dispensatio vel commutatio, nisi aliquid melius occurrat ad communem utilitatem faciendum, quod maxime videtur pertinere ad potestatem Papae, qui habet euram universalis Ecclesiae, vel etiam absoluta relaxatio, quod etiam ad Papam pertinet in omnibus generaliter, quae ad dispensationem rerum ecclesiasticarum pertinent, super quas habet plenitudinem potestatis.

¹² A doctrine principally grounded on Luke 22, 32: *Ego autem rogavi pro te, ut non deficiat fides tua.* Thus ere now, Leo IX. epist. 55: *Quae oratio obtinuit, quod hactenus fides Petri non deficit, nec defectura creditur in throno illius usque in saeculum sacculi, etc.* Gregorius VII. lib. ii. ep. 1: *Ecclesia Romana per b. Petrum, quasi quodam privilegio, ab ipsis fidei primordiis a ss. PP. omnium mater Ecclesiarum adstruitur, et ita usque in finem habebitur semper: in qua nullus haereticus praefuisse dignoscitur, nec umquam praeficiendum, praesertim Domino promittente, confidimus.* Ait enim dominus Jesus: *Ego rogavi pro te, etc., cf. Dictatus Gregorii 22, above, § 47, note 3.* Innocent. III. de consecrat. Pontificis sermo 2: *Nisi enim ego solidatus essem in fide, quomodo possem alios in fide firmare, quod ad officium meum noscitur specialiter pertinere, Domino protestante: ego, inquit, pro te rogavi, Petre, etc.* Rogavit et impetravit, quoniam *exauditus est in omnibus pro sua reverentia* (Hebr. v. 7). Et ideo fides apostolicae sedis in nulla unquam turbatione defecit, sed integra semper et illibata permanxit, ut Petri privilegium persisteret inconcussum. Personal errors of the Popes, which were to be forthwith corrected by the Church, were yet considered in the 12th century to be compatible with this infallibility of the Roman Church or Roman See. Ivo ep. 233: *Si vero ea praeccipiant (PP. RR.), quae sint contra doctrinam evangelicam vel apostolicam, ibi eis non esse obdiendum exemplo docemur Pauli Apostoli, qui Petro sibi praelato, non recte incidenti ad veritatem Evangelii, in faciem restitit.* Gratianus dist. xl. c. 6, *ex dictis Bonifacii martyris:* *[Papa] cunctos ipse judicaturus a nemine est judicandus, nisi reprehendatur a fide de- vius: pro cuius perpetuo statu universitas fidelium tanto instantius orat, quanto suam salutem post Deum et illius incolumitate animadvertis propensius pendere;* and so Gra-

§ 62.

EXTENSION OF THE POWER OF THE PAPACY IN THE CHURCH.

The extension of the ecclesiastical power of the Popes, as well in its external as in its internal relations, was the result of the development of this idea. In the eleventh century the Spanish¹

tian does not shrink from adding to one passage of Gregory II. Caus. xxxii qu. 7, c. 18 (see Part I, § 8, note 22). Illud Gregorii sacris canonibus, imo evangelicae et apostolicae doctrinae, penitus inventur adversum. So also Innocent III. de consecr. Pont. Serm. 3: In tantum mihi fides necessaria est, ut, cum in caeteris peccatis Deum judicem habeam, propter peccatum, quod in fide committitur, possim ab Ecclesia judicari.—Thomas Aquinas is the first to declare plainly the infallibility of the Pope in matters of faith. Quodlib. ix. art. 16. Judicium eorum, qui praesunt Ecclesiae, potest errare in quibuslibet, si personae eorum tantum respiciantur. Si vero consideretur divina providentia, quae Ecclesiam suam Spiritu sancto dirigit, ut non erret, sicut ipse promisit Joan xiv., quod Spiritus adveniens doceret omnem veritatem, de necessariis scilicet ad salutem; certum est, quod judicium Ecclesiae universalis errare in his, quae ad fidem pertinent, impossibile est. Unde magis est standum sententiae Papae, ad quem pertinet determinare de fide, quam in judicio profert, quam quorumlibet sapientum hominum in Scripturis opinioni, cum Caiphas. quamvis nequam, tamen quia Pontifex, legatur etiam inscius prophetasse Joan. xi. In aliis vero sententiis, quae ad particularia facta pertinent, ut cum agitur de possessionibus, vel de criminibus, vel de hujusmodi, possibile est judicium Ecclesiae errare propter falsos testes. Canonizatio vero Sanctorum medium est inter haec duo: quia tamen honor, quem Sanctis exhibemus, quaedam professio fidei est, qua Sanctorum gloriam credimus; pie credendum est, quod nec etiam in his judicium Ecclesiae errare possit.—Ergo dicendum, quod Pontifex, cuius est canonizare Sanctos, potest certificari de statu alieujus per inquisitionem vitae, et attestacionem miraculorum, et praecipue per instinctum Spiritus sancti. Idem in Summa, Secunda Secundae qu. 1, art. 10: Ad illius ergo auctoritatem pertinet editio symboli, ad cuius auctoritatem pertinet finaliter determinare ea quae sunt fidei, ut ab omnibus inconcussa fide teneantur. Hoc autem pertinet ad auctoritatem summi Pontificis, ad quem majores et difficiliiores Ecclesiae quaestiones referuntur.—Unde et Dominus Luc. xxii. 32, Petro dicit, quem summum Pontificem constituit: *Ego pro te rogavi, Petre, ut non deficiat fides tua et tu aliquando conversus confirma fratres tuos.*—Et ideo ad solam auctoritatem summi Pontificis pertinet nova editio symboli, sicut et omnia alia, quae pertinent ad totam Ecclesiam, ut congregare Synodus generalem, et alia hujusmodi:—cujus auctoritate Synodus congregatur, ut ejus sententia confirmatur.

¹ Historia Compostellana (written in the beginning of the 12th century) i. 1, in Florez España sagrada xx 253: Before this time almost the whole of Spain was rude and unlettered. Nullus equidem Hispanorum Episcopus sanctae Romanae Ecclesiae matri nostrae servitii aut obedientiae quidquam tunc reddebat. Hispania Toletanam, non Romanam legem recipiebat. Sed postquam Adefonsus (VI. King of Castile, Asturia, Leon, Galicia, and a part of Portugal, 1065-1109), Rex bona memoriae, Romanam legem Romanasque consuetudines Hispanis contradidit, ex tunc, uteunque oblitterata quadam nebula inscientiae, sanetae Ecclesiae vires in Hispanis pullulare cooperunt. Quid enim memorem, rudes et imperitos anteriores Ecclesiac b. Jacobi fuisse Praelatos? Tempore siquidem Toletanae legis quidam Cardinalis atque Legatus s. Rom. Ecclesiae venit in Hispaniam.—Cumque venisset in Gallaeciam, nuncios suos, ut decebat, ad Episcopum loci illius Com-

churches, in the eleventh and twelfth the Irish-Scotch² and the Milanese Churches,³ gave in their submission. The oath of vas-

postellam praemisit. Episcopus autem Compostellanus accersito uno de thesaurariis Ecclesiae b. Jacobi, *ecce, inquit, adest Cardinalis Romanae Ecclesiae; vade, et quantum obsequiu impedit tibi Romae, tantumdem impendas ei Compostellae: quantum famulata est tibi Romana Ecclesia, tantumdem famuletur ei Compostellana Ecclesia.* The annexation to Rome was expressed particularly by the exchange of the Mozarabic for the Roman Liturgy: to this end Gregorii VII. lib. i. ep. 64, ad Alphonsum Castellae et Sancium Aragoniae Reges ann. 1074 (Mansi xx. 110): *Quapropter ut filios carissimos vos adhortor et moneo, ut vos sicut bonae soholes, etsi post diuturnas scissuras, denum tamen ut matrem revera vestram Romanam Ecclesiam recognoscatis, in qua et nos fratres reperiatis, Romanae Ecclesiae ordinem et officium recipiatis, non Toletanae, vel cuiuslibet aliae, sed istius, quae a Petro et Paulo supra firmam petram per Christum fundata est.* King Alphonso first submitted the question to the ordeal; but although trial by single combat, and after that, trial by fire, had decided in favor of the Mozarabic Liturgy, still the King decided nevertheless for the Roman. (Rodericus, archbishop of Toledo, † 1245, de rebus Hispanis vi. 26.) The necessity of uniting with the rest of Western Christendom, in order to carry on their war with the Moors, worked most powerfully on the Kings of Spain. The French ecclesiastics, who at this time were advanced in great numbers to the higher spiritual dignities in Spain, confirmed the adhesion to Rome, see Rosseeuw Saint-Hilaire in the Mémoires de l'Académie royale des sciences morales et politiques. T. 1. Savants étrangers (Paris, 1841. 4), p. 831.

² See vol. i. Part 2, § 133, not. 16–19. The Scottish Church had already given up before this time her contest with the Anglo-Roman Church, and had joined with her in communion; she retained, however, her ancient discipline, which was independent of Rome, and her Liturgy, until King David I. (1124–1153) introduced Canons instead of the Culdees into the Cathedral Churches (An historical account of the ancient Culdees, by John Jamieson, Edinburgh, 1811, 4. p. 252); the Culdees were thrown into the background by the Canons, and only suffered to retain their office till they should die out. Compare Historia b. Reguli, written about 1140, in Jamieson, p. 383: *Habebantur tamen in Ecclesia s. Andrea, quota et quanta tunc erat, tredecim per successionem carnalem quos Keledeos appellant, qui secundum suam aestimationem et hominum traditionem magis quam secundum sanctorum statuta Patrum vivebant. Sed et adhuc similiter vivunt.—Postquam Keledei effecti sunt, non licet eis habere uxores suas in dominibus suis, sed nec alias, de quibus mala oriatur suspicio, mulieres.—Reditus et possessiones proprias habebant, quas, cum e vita decederent, uxores eorum, quas publice tenebant, filii quoque vel filiae, propinquui vel generi inter se dividebant.—Non erat, qui b. Apostoli altari deservirerit, nec ibi Missa celebrabatur, nisi cum Rex vel Episcopus illo advenerat, quod raro contingebat.* Keledei namque in angulo quodam Ecclesiae, quae modica nimis erat, suum officium more suo celebrabant. However, the Culdees maintained themselves as colleges of secular priests as long as to the 15th century. They were subject, indeed, to Rome, but it was with the reservation of their harmless peculiarities. Braun de Culdeis, Bonnae, 1840. 4. p. 10. [D. M'Cullum, History of Culdees, A.D. 1177–1300. London, 1855]

³ After that the submission was already begun in the year 1059 (see Part 1, § 25, note 13), still the Milanese would not consent that their Archbishops should receive the Pallium from Rome. Compare the contemporary Landulphi jun. hist. Mediol. c. 38. (Muratori scriptt. rer. Ital. v. 509): The newly-elected Archbishop Anselm, contra publicum interdictum Cleri et populi Mediolanensis Romam ivit (ann. 1126), in order to satisfy the Pope on this head: *ceu vir prudens et sapiens cum Papa et Cardinalibus ejus multa consultit, et conferendo ecclesiasticas consuetudines Ambrosianae Ecclesiae, et honores ejus archiepiscopatus et urbis vivis et bonis rationibus defendit.* When required by the Pope to receive the Pallium, he asked the advice of his companions. One answered him, *quod prius sustineret nasum suum scindi usque ad oculos, quam daret sibi consilium, ut suscipiat Romae stolam, et Ecclesiae Mediolanensi praepararet hanc novam et gravissimam,*

salage⁴ imposed upon all metropolitans by Gregory VII. served as an effectual assistance in the vindication, under all circum-

quam Honorius Papa diebat sibi imponere, mensuram; and he took his departure without the Pallium. Political circumstances, however, brought about an alteration. The Milanese, on the disputed imperial election, took Conrad's part against Lothair. Anselm crowned him, and on this account was pronounced deposed by the Pope. On the Papal schism, which followed soon after, Anselm and the Milanese declared for Anacletus II. against Innocent II. But as Lothair and Innocent gradually got the better of their enemies, their party also grew in Milan. At last the town submitted, and surrendered Anselm. But it was first owing to the representations of Bernard (Bernardi ep. 131) that the Milanese suffered themselves to be so worked on as to allow their new Archbishop to accept the Pallium from the Pope. Landulphus, c. 41. The leading clergy of Milan, contra solitum decus Mediolani et ejus Ecclesiae Innocentio Papae fidelitatem juraverunt; and in c. 43: The newly-elected Archbishop Robaldus, Pisis Innocentio Papae juravit (ann. 1136), et jurando libertatem Ecclesiae Mediolanensis in contrarium convertit.

* The first trace of this is in the year 1073, when Wibert, archbishop of Ravenna, at his consecration, had to take an oath to the Pope Alexander II (Bonizonis liber ad amicum lib. vi. in Oefelii rer. Boic. script. ii. 810), se fidelem esse Papae Alexandro ejusque successoribus, qui per meliores essent electi Cardinales. We have four forms of this oath from this age: I. in the acts of the Roman Synod, 1079, where the Patriarch of Aquileia had to take it, in Mansi xx. 525. II. In an epist. Gregorii vii. ad Petrum Subdiac. in the Decret. Gregor. lib. ii. tit. xxiv. c. 4. III. The form of the oath of the Archiepiscopus Trinovitanus, Primas totius Bulgariae, in the Gesta Innocentii III. c. 77. IV. The oath of Eadmund, archbishop of Canterbury, in the year 1233, in Raynald ad. h. a. no. 65. I introduce number I. entire, and give of the other forms only the most important deviations: Ab hac hora et inantea fidelis ero b. Petro et Papae Gregorio, suisque successoribus, qui per meliores Cardinales intraverint. (II. IV. ejusque successoribus canonice intrantibus.) Non ero in consilio, neque in facto, ut vitam, aut membra, aut papatum perdant, aut capti sint mala captione. Ad synodus, ad quam me vocabunt vel per se, vel per suos nuncios, vel per suas literas, veniam et canonicę obediā, aut, si non potero, legatos meos mittam. Papatum Romanum et regalia s. Petri (thus also no. IV.; on the other hand, no. II. reads regulas ss. Patrum; III. honores, dignitates et rationes apostolicae sedis) adjutor ero ad retinendum et defendendum, salvo meo ordine. Consilium vero quod mihi crediderint per se, aut per nuncios suos, sive per literas, nulli pandam me sciente ad corum damnum. Legatum Romanum eundo et redeundo honorifice tractabo, et in necessitatibus suis adjuvabo. His, quos nominatim excommunicaverint, scienter non communicabo. Romanam Ecclesiam per saecularem militiam fideliter adjuvabo, cum invitatus fuero. Haec omnia observabo, nisi quantum sua certa licentia remiserint. Instead of the three last sentences no. II. has, Limina Apostolorum singulis annis aut per me aut per certum nuncium visitabo, nisi eorum absolvat licentia. Sic me Deus adjuvet, et hacc sancta Evangelia. Each of the other two forms has besides insertions peculiar to itself. Thus, no. III. Eorum certum malum si scivero, impeditre studebo. Quodsi non potero impedire, eis quam cito potero intimare curabo.—Cum quemlibet de meis Suffraganeis consecravero, faciam illi jurare, ut Romano Pontifici et Romanae Ecclesiae perpetuam obedientiam et debitum honorem impendat. Caeterum cum aliquem coronavero in Regem Bulgarorum et Blacorum juxta indulgentiam mihi et successoribus meis ab apostolica sede concessam, ab eo juratorum recipiam cautionem, quod ei qui tunc apostolicae sedi praefuerit, successoribus ejus, et Ecclesiae Romanae devotus et obediens permanebit, et cunctas terras et gentes suo subjectas imperio in obedientia et devotione sedis apostolicae conservabit.—On the other hand, IV. Possessiones vero ad mensam mei archiepiscopatus pertinentes non vendam, neque donabo, neque pignorabo, neque de novo infeudabo, vel aliquo modo alienabo inconsueto Romano Pontifice. In the promise of no. II. Limina Apostolorum singulis annis aut per me aut per certum nuncium visitabo; no. III. has singulus quadriennius; no. IV. singulis trien-

stances, of that idea of an *episcopus universalis*, whose vicars were the bishops. After that the Popes began to confirm all episcopal elections,⁵ and at last frequently even nominated the bishops

niis. One may see plain enough how the forms are modified according to circumstances. This oath of vassalage (see Part I, § 23, note 11) may be compared with the oath of Boniface (*ibid.* § 4, note 3). On a refusal of this, see Paschal II. *epist. ad Archiepisc. Salonae* (in *Cencii Camerarii lib. censuum in Baronius*, 1102, no. 8. *Mansi xx. 984*, with the inscription *Poloniae*, out of which in other manuscripts has been made *Polemensi, Coloniensi*, most frequently *Panormitano*). Later writers have conjectured *Colocensi*, but *Colocza* had not yet, at that time, an Archbishop. Steph. Katona *hist. crit. regum Hungar. stirpis Arpadianae iii. 149 ss.*, proves the right reading to be *Salonae*): Significasti, frater carissime, Regem et Regni majores admiratione permotus, quod pallium tibi ab apocrisiariis nostris tali conditione oblatum fuerit; si sacramentum, quod a nobis detulerant, jurares. — Ajunt, omne jusjurandum a Christo Deo in Evangelio esse prohibitum, nec ab ipsis Apostolis post Dominum, nec in conciliis inveniri posse statutum. Quid est ergo quod idem Dominus subsecutus ait: *Quod amplius est a malo est* (Matt. v. 37)? hoc enim amplius ut exigamus, malum nos, illo permittente, compellit. Nonne malum est ab Ecclesiae unitate, a sedis apostolicae obedientia, resilire? — Nonne predecessor tuus praeceptor Romani Pontificis conscientiam damnavit Episcopum? — Quid super Episcoporum translationibus loquar, quae apud vos non auctoritate apostolica sed nutu Regis presumuntur? Propter haec mala et alia evitanda hujusmodi juramentum exigitur. The demand of Gregory VII. and his immediate successors, nisi praesenti personae pallium non esse concedendum (Greg. VII. lib. i. ep. 24), had soon to be given up. Pertsch de pallio, p. 222 ss.—Much that is worth reading on the history of this oath may be found in F. A. Zaccaria *de rebus ad hist. atque antiquitates Ecclesiae pertinentibus dissert. latinae* (tomi ii. Fulginiae, 1781. 4), ii. 296. For the manner in which the Popes availed themselves sometimes of this oath, see Innocent. III. *registr. de negotio Imperii epist. 68*, in which he charges the Archbishop of Treves, sub debito fidelitatis, quo Ecclesiae Romanae teneris astrictus, et vineculo juramenti, quod super hoc specialiter praestitisti, to acknowledge Otto IV., or else he would be excommunicated as a transgressor proprii juramenti. Likewise wrote Alexander IV. to the Archbishop of Mayence, above, § 57, note 6. Gregory IX. even demanded, by virtue of this oath, from the Archbishop of Lyons, auxiliary troops, see § 55, note 12. Innocent IV. made the same demand on the French bishops, § 56, note 8.

⁵ Even Concil. Rom. ann. 1080, c. 6 (*Mansi xx. 533*), establishes this: Clerus et populus—apostolicae sedis vel metropolitani sui consensu pastorem sibi secundum Deum eligat.—Electio potestas omnis in deliberatione sedis apostolicae sive metropolitani sui consistat. In order to secure their elections, which were very often disputed, the bishops began frequently to apply to Rome for confirmation. Cf. chron. Ursperg. p. 235, on the times of Otto IV. and Philip the Hohenstaufen: vix remansit aliquis Episcopatus, sive dignitas ecclesiastica, vel etiam parochialis Ecclesia, quae non fierit litigiosa, et Roman deduceretur ipsa causa, sed non manu vacua. Gaude mater nostra Roma, quoniam aperiuntur cataractae thesaurorum in terra, ut ad te confluant rivi et aggeres nummorum in magna copia. Laetare super iniuritate filiorum hominum, quoniam in recompensationem tantorum malorum datur tibi pretium. Jocundare super adjutrice tua discordia, qui erupit de puteo infernalis abyssi, ut accumulentur tibi multa pecuniarum praemia. Habes, quod semper sitisti, decanta canticum, quia per malitiam hominum, non per tuam religionem, orbem viceisti. Ad te trahit homines non ipsorum devotio, aut pura conscientia, sed scelerum multiplicium perpetratio, et litium decisio pretio comparata. Moreover, at this time the confirmation of bishops by their Metropolitan was legally sufficient: see Anton Pereira von Figueiredo, Demonstration of the right of Metropolitans over their bishops, translated in Le Bret's *Magazin für Staaten und Kirchengeschichte*, iii. 395; iv. 490. Only to England, in the year 1257, came, statutum Romae cruentissimum, quo oportet

themselves,⁶ the oath was more generally taken by the other bishops also, as well as by the exempted abbots.⁷ Thus the new Papal rights established by help of the Pseudo-Isidore now first came forth complete into life, the exclusive right *to summon and to ratify councils, to remove and depose bishops*,⁸ and, in a form still more hazardous, more destructive of all order, the right in all cases to receive appeals from Episcopal decisions.⁹ But besides these the quilibet electum personaliter transalpinare, et in suam laesonem, imo eversionem, Romanorum loculos impaegnare (Matth. Par. p. 956).

⁶ See below, note 13. Besides the more ancient form, *Dei gratia Episcopus*, which is already found from the 5th century, and is common after the 11th (Hist. litér. de la France, i. 233, 259), we discover also the other form, *Dei et apostolicae sedis gratia Episc.*, for the first time in the year 1093 (during the schism), in the will of Amatus, bishop of Nusco, in Ughelli Italia sacra, vii. 535. It begins to be more common in the 13th century. Thomasinus P. i. lib. i. cap. 60, § 9 and 19, is very inaccurate on this point. Compare especially Zaccaria de rebus ad hist. atque antiquitates Ecclesiae pertinentibus dissert. lat. ii. 232.

⁷ Muratorii antiquit. Ital. v. 1059.

⁸ Cf. § 61, notes 5 and 8.

⁹ Part I, § 20, note 8. Comp. Gratian. caus. ii. qu. 6. Decretal. Greg. lib. ii. tit. 28.—Especially Deqr. Greg. l. c. c. 11 (Alexander III.): *De appellationibus pro causis minimis interpositis volumus te tenere, quod eis, pro quacunque levi causa fiant, non minus est quam si pro majoribus fierent, deferendum.* c. 12 (*Idem*): *sacri canones et ante et post litis contestationem, et in prolatione sententiae, et post sententiam singulis facultatibus tribuunt appellandi: leges autem saeculares appellationem, nisi in casibus, ante sententiam non admittunt.* The same Alexander III. says, however (l. c. c. 7), that an appeal from the civil judge to the Pope, etsi de consuetudine Ecclesiae teneat, secundum tamen juris rigorem credimus non tenere: nevertheless, as the Episcopal courts had drawn to themselves almost all kinds of civil suits (see below, § 63, notes 24 and 25), secular actions were commenced also at Rome in great numbers. Cf. (Horix) tract. de appellationibus et evocationibus ad curiam Rom. in Concordata nationis German. integra variis additamentis illustrata (Tomi iii. Francof. 1771-73. 8.) ii. 171. Complaints of the age on this head: Hildebertus Archiep. Turonensis epist. 82. ad Honorium P. II. about 1125 (Bibl. PP. Lugd. xxi. 159): *Quaslibet appellationes in Romana vigere et suscipi Ecclesia, cis Alpes auditum non est, nec in sacris traditum institutis. Quodsi forte hujusmodi emersit novitas, ut placeat omnem indifferenter admittere appellationem; pontificalis censura peribit, et omnino conteretur ecclesiasticae robur disciplinae. Quis enim raptor ad solam anathematis comminationem non statim appellabit?—quis Episcopus habebit in promptu, non omnem dico, at aliquam ulcisci inobedientiam?* Ejus virgam quaevis appellatio quassabit, solvet constantiam, severitatem emollet, adducens et illi silentium, et reis impunitatem delictorum: sic fiet, ut sacrilegia ac rapinae, fornicationes ac adulteria perniciose inudent incremento. Soon enough were these apprehensions fulfilled, Bernard. Claraevallensis epist. 178, ad Innocentium II. about 1135: *Vox una omnium, qui fideliter apud nos cura populis praesunt, justitiam in Ecclesia deperire, nullari Ecclesiae claves, episcopalem omnino vilesccere auctoritatem, dum nemo Episcoporum in promptu habeat, ulcisci injurias Dei, nulli liceat illicita quaevis, ne in propria quidem parochia, castigare. Causam referunt in vos curiamque Romanam. Recte gesta ab ipsis, ut ajunt, destruitis, juste destrueta statutis. Quique flagitiosi et contentiosi de populo, sive de Clero, aut etiam ex monasteriis pulsati currunt ad vos: redeuntes jactant et gestiunt, se obtinuisse tutores, quos magis ultores sensisse debuerant. Especially his work, de considerat. ad Eugenium P. lib. iii. cap. 2, ann. 1152. E. g. *Quousque murmurs univerae terrae aut dissimulas, aut non advertis? Quousque dormitas? Quousque non vigilat consideratio tua at tantam appellationum confusionem atque abusionem?* Praeter jus et fas, praeter modum et ordinem flunt. Non locus, non modus, non tempus, non causa discernitur, aut*

Popes were now engaged in asserting their claim to further rights; these were an universal right to grant *absolution*¹⁰ and *dispensation*,¹¹ an exclusive right of *canonization*,¹² and at last also, in spite of all resistance, the right to *dispose of all benefices*,¹³ and to

persona. Praesumuntur leviter passim, plerumque et nequierit. Volentes malignari, nonne his potissimum terreri solebant? Nunc terrori ipsi ex his magis fiunt, atque id bonis. Antidotum versum in venenum, non mutatio dexteræ Excelsi haec. Appellantur boni a malis, ut non faciant bona, et supersedent a voce tonitruis tui formidantes—Videas, —prorumpere ad appellandum non tam gravatos, quam gravare volentes—Cur, inquis, male appellati non veniunt ostensuri suam innocentiam, malitiam convicti? Dico, quod dicere ad haec solent: “Nolumus vexari frustra. In curia esse, qui proclivius fareant appellibus, foveant appellationes: cessuris Romae, domi cedere satius.” Fateor me non omnino decredere his. Quem das mihi in tam crebris appellationibus, quae hodie fiunt, qui pro expensis itineris vel nummum restituerit illi, quem forte appellari? Mirum vero, si ita omnes et appellantes justi, et appellati rei vestro examine inventi sint! etc.

¹⁰ Gregor. VII. lib. vi. epist. 4, ad Henric. Leodiensem Episc. Lectis fraternitatis tuae literis non parum mirati sumus,—te—nos de absolutione illius parochiani tui, qui olim ad nos venit, mordaci invectione reprehendisse, *tamquam apostolicae sedis non esset auctoritas, quoscumque et ubicumque vult ligare et absolvere*. The bishop's voluntary custom of referring great criminals to Rome, led by degrees to the establishment of certain definite *casus Papae reservati* (for example, Ivo Carnot. ep. 98. 160. Hildebert. Turon. writes (epist. 60) to a bishop about a priest who had committed murder: Si simile aliquid in commissa mihi parochia contigisset, reum ad apostolicam misissem audientiam). Innocent II. in concil. Rhemens. ann. 1131, can. 13, first reserved the case of murder of an ecclesiastic. How the number of these cases increased is shown in the Vita Laurentii Archiep. Dublinensis († 1181), c. 24, in Surius add. 14. Nov. In tantum autem ministrorum Ecclesiae execratur immunditiam,—ut omnes,—si incontinentiae convicti essent, licet tamquam Archiepiscopus posset, tamen nollet absolvere, sed ad Romanam Ecclesiam a summo Pontifice absolvendos destinaret. Conc. Rotomag. ann. 1179, c. 26: Those, qui falsum praestiterint juramentum in sacrosanctæ Ecclesiae laesionem, vel cujuslibet personæ exhaeredationem, were to be excommunicated; and if they wished to obtain absolution, ad eorum maiorem confusionem ad sedem apostolicam transmittantur. For an enumeration of the reserved cases, consult Synod. Baiocensis ann. 1300, c. 87:

Incestum faciens, corrumpens, aut homicida,
Sacrilegus, patrum percussor cum sodomita,
Clerum percutiens, Romam petit, etc.

The Synod of Arles ann. 1275, c. 12, mentions yet more reservations of the same kind; cf. Thomassin. P. i. lib. ii. c. 13.

¹¹ See above, § 61, note 10. Even here there grew up dispensationes Papae reservatae. Compare, in general, Thomassin. P. ii. lib. iii. c. 27, 28.

¹² Down to 1170 the Archbishops had exercised this right in their own provinces. So late as 1153, the Archbishop of Rouen canonized a monk. Then Alexander III. wrote to a monastery, Decr. Greg. lib. iii. tit. 45, c. 1: Audivimus, quod quidam inter vos—hominem quendam in potatione et ebrietate occisum, quasi sanctum,—venerantur. Illum ergo non praesumatis de caetero colere: *cum, etiamsi per eum miracula plurima fierent, non licet vobis ipsum pro Sancto absque auctoritate Romanae Ecclesiae publice venerari*. How plentifully the Pope began forthwith to exercise this new reserved right, see in Schrockh xxviii. ; 173. Innocent III. extended the right even over relics, Conc. Later. IV. gen. ann. 1215, c. 62: Reliquias inventas de novo nemo publice venerari praesumat, nisi prius auctoritate Romani Pontificis fuerint approbatae. Cf. Benedicti XIV. de servorum Dei beatificatione et beatorum canonisatione libb. iv. in Benedicti XIV. opp. (Rom. 1747. voll. xii.) vol. i.—iv.

¹³ Thomassin. P. ii. lib. i. c. 43. Planck, iv. ii. 713. Raumer, vi. 92. Hadrian IV.

began with letters of recommendation to the bishops (first in epist. 13, ad Episc. Paris, in the year 1154, in behalf of Hugh, chancellor of France: *Inde est, quod illum fraternitati tuae duximus plurimum commendandum, rogantes attentius, quatenus—primum personatum vel honorem, qui in tua vacabit Ecclesia, ei concedas, ut et ipse nostras sibi preces sentiat fructuosas, et nos de nostrarum precum admissione gratiarum tibi exsolvere debeamus actiones*). These letters, however, under Alexander III., began to assume a tone of command (*Ipsum commendamus, rogantes et rogando mandantes, etc.*), and were enforced in spite of all opposition under Innocent III. by officers appointed for the purpose (Innoc. III. lib. i. ep. 116, 127, 145. lib. xvi. ep. 177. *Alioquin ven. fratri Episcopo NN. damus nostris literis in mandatis, ut vos ad id per censuram ecclesiasticam appellatione remota compellat.* Hurter's Innocent III. iii. 109). Thus in the 13th century Papal nominees were thrust in every where, especially in England. For this reason a conspiracy was made here in the year 1231 (Matth. Paris, p. 313) against the Roman Legates, who arbitrarily disposed of the beneficia regni suis, secundum quod eis placet, conferendo, and compelled the collators to obey their will, suspensionis sententias fulminando. In the following year (Matth. Paris, ann. 1232, p. 316), distracta sunt horrea Romanorum per totam fere Angliam,—delituerunt clericci Romani in Abbatii. No better reception did the Papal messengers meet with who brought over new Bulls of collation, and so Gregory accuses the English bishops (Raynald. 1232, no. 28), *de conculecatione numismatis Petri et Pauli Apostolorum imaginem, et nomen Iesu Christi Vicarii profitentis; de laceratione literarum nostrarum; de captione, obsessione, redemptione, spoliacione clericorum; de illata cursoribus nostris injuria, uno in frusta conciso, et altero semivivo relieto.* Hence it appears that the bishops also, as well as the secular powers, had at least an indirect share in these events. Nevertheless, Gregory IX. 1240, again charged three English bishops (Matth. Paris, p. 532) *ut trecentis Romanis in primis beneficiis vacantibus providerent.* There was a report in England that the Pope had promised the Romans, in order to secure them to his party against the Emperor, *ut, quotquot essent in Anglia beneficia conferenda,—Romanorum filiis vel consanguineis ad nutum corum forent distribuenda.* Compare the grievances of the English Legates at the Council of Lyons, 1245 (Matth. Paris, p. 667): *jam ditantur in Anglia Italici, quorum est jam numerus infinitus, Ecclesiis,—qui rectores Ecclesiarum dicuntur,—nullam curam animarum gerentes, etc.* Italici percipientes in Anglia sexaginta milia marcarum, et eo amplius annuatim:—plus emolumenti meri redditus de regno reportant, quam ipse Rex, etc. Compare St. Lewis's Gravamina Eccl. Gallicanae about 1246 (see below, note 26): *Dominus Innocentius III. primus assumpsit sibi jus istud, in tempore suo revera dedit multas praebendas, et similiter post ipsum dominus Honorius et dominus Gregorius simili modo fecerunt: sed omnes praedecessores vestri, ut publice dicitur, non dederunt tot beneficia, quot vos solus (namely, Innocent IV.) dedistis isto modico tempore, quo rexistis Ecclesiam vestram.* Et si successor vester instantum excederet vos in hoc, sicut excessistis praedecessores vestros, certe ipse conferret communia beneficia; et sic non restabit aliud consilium indigenis nostris nisi fugere aut fugare. Clement IV. actually declared that the plenaria dispositio of all benefices belonged to the Pope (see below). The right of appointment to vacant bishoprics was not so universally claimed by the Popes, but only in certain cases, especially 1, *jure devolutionis*, according to the maxim of Gregor. VII. in Conc. Rom. ann. 1080, c. 6: *is, qui ad pravam electionem declinaverit, eligendi potestate privatur, and Innocentius III. in Conc. Lateran. 1215, can. 23: ut ultra tres menses cathedralis vel regularis Ecclesia Praelato non vacet, infra quos eligendi potestas ad eum, qui proxime praecesse dignoscitur, devolvetur.* Thomassin. P. ii. lib. i. c. 51. 2, In reference to benefices *in curia vacantia*, first claimed by Clement IV. 1266, Sexti Decretal. lib. iii. tit. iv. c. 2: *Licet Ecclesiarum, personatum, dignitatum, aliorumque beneficiorum ecclesiasticorum plenaria dispositio ad Romanum noscatur Pontificem pertinere, ita, quod non solum ipsa, cum vacant, potest de jure conferre, verum etiam jus in ipsis tribuere vacaturis: collationem tamen Ecclesiarum, personatum, dignitatum et beneficiorum apud sedem apostolicam vacantium specialius caeteris antiqua consuetudo Romanis Pontificibus reservavit.* Cf. Thomassin. l. c. cap. 48.

*tax the churches.*¹⁴ But the full bitterness of all these encroachments upon the rights of bishops and particular churches¹⁵ was not experienced until a swarm of Papal Legates, with general commissions and unlimited plenary power, was organized to administer them.¹⁶ Secure of the most powerful support from the

¹⁴ An occurrence which often took place, especially in the 13th century, under pretext of Crusades, and in the war against the Emperors (compare above, § 55, notes 12, 27). The Pope often also granted to temporal princes, for the furtherance of such aims, the right of taxing churches, and assigned to them the tithe of ecclesiastical revenues (§ 56, note 17; § 57, note 2; § 59, note 10). In opposition, Joannes Semeca (see § 60, note 7), cf. Krantz Saxon. viii. c. 27: Joannes Semeca—Clementi IV.—summo Pontifici (probably Innocentio IV., see Meibom. *rer. Germ.* iii. 262), tum per Germaniam sicut Galliam decimas a Clero in redemptionem terrae sanctae exigenti, appellationem opposuit: quem Papa pro sua, ut dicebat, temeritate excommunicavit, privavitque praecpositura. Sed erant magni in Germania viri, qui Johannem deserendum non putabant. Quae autem impendere videbantur mala, mors ipsa diremit, quae tam Pontificem quam Johannem brevi sustulit de medio. On the whole Papal revenue, see Raumer, vi. 159. Hurter's *Innoc.* III. iii. 121.

¹⁵ Which Bernardus, epist. 231, ad Episcopos Ostiensem, Tusculanum, Praenestinum (the most eminent Cardinals), points out in the following short and strong language: *Et olim quidem eratis contra Apostolum Petrum dominantes in Clerum* (1 Petr. 5, 3), *imo et contra Coapostolum ejus Paulum dominabamini fiduci totius orbis* (2 Cor. 1, 24): *at nunc novum aliquid addidistis, usurpantes amplius et in ipsam religionem.* Quid restat nisi ut adjiciatis et ipsis Angelis sanctis dominari?

¹⁶ On the Legates in general, *de Marca* lib. v. c. 44–58, lib. vi. c. 29–31. Planck, iv. 2, 639. Raumer, vi. 75. Hurter, iii. 163. Legates with an universal commission, *ad visitandas Ecclesias*, date their first appearance from the time of Leo IX. and Victor II. (Part 1, § 23, note 7), but not till after Gregory VII. did they become a numerous (see above, § 47, note 15) and an established order. Those that were appointed only for some particular commission were now styled Delegati (especially *Delegati judices*). The following are examples of the plenary power of the Legates: Gregor. VII. lib. iv. ep. 26, *quatenus—nostra vice, quae corrigenda sunt, corrigat, quae statuenda, constitutat.* Innocent. III. lib. xvi. ep. 104, *cui nos vices nostras commisimus, ut juxta verbum propheticum evellat et destruat, aedificet et plantet, quae secundum Deum evellenda et destruenda, neconon aedicanda cognoverit et plantanda.* Thus the matter became soon after what Clement IV. at last plainly declared (*Sexti Decretal.* lib. i. tit. 15, c. 2): *Legatos, quibus in certis provinciis committitur legationis officium, ut ibidem evellant et dissipent, aedificant atque plantent, provinciarum sibi commissarum, ad instar proconsulum caeterorumque praesidum, quibus certae sunt decretae provinciae moderandae, ordinarios reputantes, praesenti declaramus edicto, commissum tibi a praedecessore nostro legationis officium nequaquam per ipsius obitum expirasse.* They ranked above all bishops, see Gregory VII. *Dictatus* 4 (§ 47, note 3). Compare the account Gervasii Dorob. p. 1663. In the year 1125 there came one John (Joh. Cremensis) as Legate to England. Post modicum idem Legatus, pergrata Anglia, celebravit Concilium apud Westmonasterium, et totam Angliam in non modicam commovit indignationem. Videres enim rem eatenus regno Anglorum inauditam, clericum scilicet presbyterii tantum gradu perfunctum Archiepiscopis, Episcopis, Abbatibus, totiusque regni nobilibus, qui confluxerant, in sublimi solio praesidere, illos autem deorsum sedentes ad nutum ejus vultu et auribus animum suspensum habere. Die quoque Paschae cum idem primo veniret in Angliam, officium diei loco summi Pontificis in matrice Ecclesia celebravit, eminenti cathedra praesidens, et *insigniis pontificalibus utens,* licet non Episcopus, sed simpliciter fuerit Presbyter Cardinalis. Quae res quam gravi multorum mentes scandalio vulneraverit, et inusitata negotii novitas et antiqui regni Anglorum detrita libertas satis indicat. Like the Pope they disposed of benefices. Inno-

Popes,¹⁷ they wandered from place to place in the provinces, to annihilate Episcopal power, and render themselves infamous by their shameless extortions.¹⁸ The numerous Curia with which the Pope

cent III. (Decr. Greg. lib. iii. tit. 38, c. 28) declared, as the superscription expresses : *Legatus de latere Ecclesiam, cuius alia Ecclesia est patrona, collationi suae reservare potest, licet non vacet, et conferre, cum vacat.* (The gloss upon this says : *Item videtur quod liberam electionem posset legatus auferre capitulo, and decides that, at least, tempore suae legationis posset interdicere et reservare sibi electiones.*) comp. Decr. Greg. lib. i. tit. 30, c. 6, and the charge given by Innocent III. to his Legate in England, above, § 54, not. 37. Thomassin. P. ii. lib. i. 52.

¹⁷ Compare Gregor. VII. lib. i. ep. 16, ad Giraldum. Against Giraldus, legate in Spain, many persons lodged a complaint in Rome, quorum alii injuste se excommunicatos, alii inordinate depositos, alii immerito interdictos conqueruntur. Gregory acknowledged the injustice of his Legate, but was withheld from interfering in person, respectu conservandae auctoritatis tuae. A bishop deposed for some insufficient reason comes in person to Rome : sed honori tuo providentes nulla querelis ejus responsa deditus. The Legate was himself to revoke the overhasty judgment. Cf. Innocent III. hb. xvi. ep. 12.

¹⁸ The Legates ventured to demand their maintenance (procuratio) from the churches, and soon received it in money, according to an arbitrary assessment. Comp. the Metropolitan's oath above, note 4. Innocentius III. lib. i. epist. 568 (Decr. Gregor. lib. iii. tit. 39, c. 17) : *omnes Ecclesiae legatis et nuncis sedis apostolicae procurations impendere tenentur.—Qui vero contumaciter eis duxerit resistendum, omni prorsus appellatione remota per ecclesiasticæ distinctionis sententiam compescatur.* On the frightful extortions of the Legates, see de Marca, lib. v. c. 49–51. Raumer, vi. 79. Hurter's Innocent III. iii. 157, 169. On their expenditure Marca, c. 52.—Complaints of the age : Ivo Episc. Carnotensis († 1115) epist. 109, ad Paschalem II. *Cum enim a latere vestro mittitis ad nos Cardinales vestros tamquam filios uterinos, quia in transitu apud nos sunt, non tantum non possunt curanda curare, sed nec curanda prospicere.* Inde est, quod multi —dicunt, sedem apostolicam non subditorum quaerere sanitatem, sed suam aut *lateralium suorum* quaerere commoditatem. Bernardus, epist. 290 ad Episc. Ostiensem ann. 1152 : *Pertransiit Legatus vester* (Cardinal Jordanus, see Baron. 1151, no. 5) *de gente in gentem, et de regno ad populum alterum, foeda et horrenda vestigia apud nos ubique relinquens.* A radice Alpium et regno Teutonicorum per omnes paene Ecclesias Franciae et Normanniae et circumquaque circumviens usque Rothomagum vir apostolicus replevit non Evangelio, sed sacrilegio. Turpia fertur ubique commissose, spolia Ecclesiarum asportasse, formulosus pueros in ecclesiasticis honoribus, ubi potuit, promovisse, ubi non potuit, voluisse. Multi se redemerunt, ne veniret ad eos. Ad quos pervenire non potuit, exegit et extorsit per nuncios, etc. Joannes Saresburiensis († 1182) *Policratius seu de nudis Curialium lib. v. c. 16* (Bibl. PP. Lugdun. xxiii. 319) : *Sed nec Legati sedis apostolicae manus suas excutiunt ab omni munere, qui interdum in provinciis ita debacchantur, ac si ad Ecclesiam flagellandam egressus sit Satan a facie Domini.* —La Bible de Guiot de Provins, a Monk of Cluny, written 1203, in the *Fabliaux et contes des poetes françois des XI–XVe siècles*, publiés par Barbazan, nouv. édit. par M. Méon (4 Tomes, Paris, 1808), ii. 329.

v. 666. *Tout est perdu et confundu,*

*Qant li Chardonai sont venu,
Qui viennent ça tuit (tous) alumé,
Et de covoitise (covortise) embrasé.*

670. *Ça viennent plein de symonie,*

*Et comble de malveise vie ;
Ça viennent sanz nule reson,
Sanz foi et sanz religion :*

Que il vendent Deu et sa Mere,

675. *Et traissent nos et lor pere.*

Tout defolent (foualent) et tot devorent,

was obliged to surround himself,¹⁹ in order to pervade his greatly enlarged circle of operations, was held in the same evil repute with the Legates for insatiable avarice and venal corruption.²⁰ In

Certes li signe trop demorent
Qui nostre Sires doit monstrar,
679. Qant li siecies devra finer.

On the conduct of Robert Courçon, the haughty and avaricious Legate in France during the time of Innocent III., see Hurter, ii. 652. Compare the letter of Frederick I. below, note 28. Wichmann in epist. ad Urbanum III., see above, § 53, note 6. Petrus Blaesensis in epist. ad Clement III., above, § 53, note 16. At last Alexander IV. took notice of these complaints ; cf. ejus epist. encyclica ad Archiepiscopos Gall. (ed. Baluz. ap. de Marca, lib. v. c. 51, § 14)—sicut ad audientiam nostram non sine animi turbatione pervenit, horum [nunciorum] nonnulli,—occasione procurationum hujusmodi a nonnullis Ecclesiis et ecclesiasticis personis—magnas et immoderatas pecuniarum summas, equos etiam et mulos—extorquere ausu sacrilego praesumserunt, diversas excommunicationum, suspensionum et interdicti sententias in quam plures ex personis et Ecclesiis, nolentes et forsitan nequeunt eorum in his avaritiae satisfacere, temere promulgando, in animarum suarum periculum, nostram et dictae sedis infamiam, et scandalum plurimorum. Cum igitur haec et alia multa enormia de ipsis nunciosis jam saepius fuerint ad nos—delata, nos volentes talium insolentias—punire,—fraternitati tuae—mandamus,—quatenus statim—in tua provincia—diligenter inquiras, quid, quantum et qualiter nuncii nostri—procurationum suarum praetextu—recepérunt, etc. How little effect this had is clear from the account which Godfrey of Ensmingen, an inhabitant of Strasburg, gives as a contemporary writer in J. F. Bohmer's fontes rerum german. vol. 2 (Stuttgart, 1845), s. 124 : Anno Dom. 1286, mense Octobri draco quidam montes transiens Italicos,—dominus videlicet Joannes Tusculanus Episcopus, in partibus Alemanniae a dom. Honorio Papa legatus, trahens caudam suam veneficam per totum regnum Alemanniae, et multos sua simoniaca infecit pravitate. Under the protection of the Emperor Rudolph, he carried on his extortions in Basle, Strasburg, Spiers, Worms, one after the other, and then summoned a council in Wurtzburg : here, however, so general a resistance was raised against him, that he was obliged to fly back to Italy. Concerning the Legate, see also Stenzel's Urkunden zur Gesch. d. Bisth. Breslau im Mittelalter, Breslau, 1845. 4. s. 227 ff. He sent two vice-Legates into Silesia and Poland, and demanded by them from the body of Polish bishops a subsidy of 1100 marks of fine silver ; from the bishopric of Breslau alone he asked 150 marks, and reserved to himself the appointment to all vacant livings. Besides this, the vice-Legates required a contribution for themselves and their suite of more than 39 horses. Even though procuration had been just paid to Philip, a Legate, a collector de-narii s. Petri claimed the same again : an appeal to the Pope was the consequence. The Legate then reduced the sum to 700 and 120 marks (s. 237) : nevertheless, the Bishop of Breslau persisted in his appeal, because he could not pay the money (s. 240).

¹⁹ Gerohi Reichersbergensis de corrupto Ecclesiae statu ad Eugenium III. Papam (Baluzii miscellan. v. 63) : Neque enim vel hoc ipsum carere macula videtur, quod nunc dicitur *Curia Romana*, quae antehac dicebatur *Ecclesia Romana*. Nam si revolvantur antiqua Romanorum Pontificum scripta, nusquam in eis reperitur hoc nomen, quod est *Curia*, in designatione sacrosanctae Romanae Ecclesiae, etc.

²⁰ Hildeberti Archiep. Turon. († 1134) Curiae Romanae descriptio (in Brown app. ad fascic. rerum expetend. et fugiendarum, p. 7) : Romani sunt quos timent, et qui timentur. Hi sunt, quos haec peculiariter provincia monet (*leg. manet*), inferre columnias, deferre personas, afferre minas, auferre substantias.—Hi sunt, qui emunt lites, vendunt intercessiones, deputant arbitros, judicanda dictant, dictata convellunt.—Spes firmas in rerum motibus habent, dubia tempora certius amant, et ignavia pariter conscientiae trepidantes, etc.—Joannes Saresbur. Policrat. lib. vi. c. 24 : Memini me causa visitandi dominum *Adrianum Pontificem quartum*, qui me in ulteriorum familiaritatem admirerat, prosecutum in Apuliam, mansique cum eo Beneventi ferme tres menses. Cum itaque, ut fieri

solet inter amicos, saepe plurimis conferremus, et ipse, quid de se et Ecclesia Romana sentirent homines, a me familiarius et diligentius quaereret : ego apud eum usus spiritus libertate, mala, quae in diversis provinciis audieram, patenter exposui. Sic enim dicebatur a multis, Romana Ecclesia, quae mater omnium Ecclesiarum est, se non tam matrem exhibet alius, quam novercam. Sedent in ea Scribae et Pharisaci, ponentes onera importabilia in humeris hominum, quae digito non contingunt.—Concubunt Ecclesiastis, lites excitant, collidunt clerum et populum, laboribus et miseriis afflitorum nequaquam compatiuntur, Ecclesiarum laetantur spolis, et quaestum omnem reputant pietatem. Justitiam non tam veritati, quam pretio reddunt.—Nocent saepius, et in eo daemones imitantur, quod tunc prodesse putantur, eum nocere desistunt, exceptis paucis, qui nomen et officium pastoris implent. Sed et ipse Romanus Pontifex omnibus gravis, et fere intolerabilis est.—Palatia splendent sacerdotum, et in manibus eorum Christi sordidatur Ecclesia. Provinciarum diripiunt spolia, ac si thesauros Croesi studeant reparare. Sed recte cum eis agit altissimus, quoniam et ipsi alii, et saepe vilissimis hominibus dati sunt in direptione. Et, ut opinor, dum sic in invio erraverint, nunquam deert eis flagellum Domini. Os si quidem Domini locutum est, quia *quo judicio judicaverint, judicabuntur, et sua mensura reme- tietur eis.*—Hace inquam, Pater, loquitur populus, quandoquidem vis, ut illius tibi sententias proferam. Et tu, inquit, quid sentis? Angustiae, inquam, sunt undique.—Veruntamen quia *Guido Clemens s.* Potentianae Presbyter Cardinalis populo testimonium perhibet, ei usquequaque contradicere non praesumo. Afferit enim, in Romana Ecclesia quandam duplicitatis esse radicem et fomentum avaritiae, quae caput et radix est omnium malorum. Neque id quidem in angulo, sed considentibus fratribus, s. Eugenio praesidente,—publice protestatus est. Stephanus Ep. Tornacensiis (about 1192), ep. 164, says with reference to the leaden roofs of churches and the Romish Bulls : Romano plumbo nudantur Ecclesiae, teguntur Anglo.—Compare Chronicum Ursperg. above, note 5. There is a remarkable confession of Honorius III. (Matth. Paris. ann. 1226, p. 328) : Before a great gathering of English bishops and barons, the Legate, Otto, produced a Papal Brief. In quibus idem Papa allegavit scandalum sanctae Romanae Ecclesiae et opprobrium vetustissimum, notam scilicet concupiscentiae, quae radix dicitur omnium malorum ; et in hoc praeceps, quod nullus potest aliquod negotium in Romana Curia expedire, nisi cum magna effusione pecuniac, et donorum exhibitione. Sed quoniam scandali hujus et infamiae Romana paupertas causa est, debent matris inopiam sublevare, ut filii naturales. The Pope proposed to this end, that from every cathedral-church, and every religious house, two stalls should be delivered up to him. The English naturally distrusted this remedy. How the Minorite Hugo of Variola, in the time of Innocent IV., spoke out the truth before a consistory of Cardinals, may be seen according to Salimbene's Chronik in Hößler's Friedrich II. s. 243. Even in poems there were frequent satires and complaints against the Curia. Compare Varia doctorum piorumque virorum de corrupto Ecclesiae statu poemata cum praef. Matth. Flacii. Basil. 1557, edit. 2, 1754. 8. Especially Bernard, monk at Cluny, belongs to this time, and his poem de contemptu mundi ad Petrum Abb. suum (p. 226 ss.), written in the middle of the 12th century, e. g. p. 351 (in Bulaeus, ii. 53) :

Roma dat omnibus omnia dantibus ; omnia Romae
Cum pretio : quia juris ibi via, jus perit omne :
Ut rota labitur, ergo vocabitur hinc rota Romana.
Roma nocens nocet, atque viam docet ipsa nocendi,
Jura relinquere, lucri requirere, pallia vendi.

Many also of those Latin poems which hitherto have been set down to Walter Mapes, after 1197 archdeacon at Oxford (in Flacius, p. 121). The Latin poems commonly attributed to Walter Mapes, collected and edited by Thom. Wright, London, 1841. 4), which, however, in part belong to a German Walter in the time of Frederick I. (see J. Grimm. Gedichte des Mittelalters auf K. Friedrich I., and the poems of his and the following reign, in the philological and historical transactions of the Berlin Academy, 1843, s. 143, Compare Wackernagel in Haupt's Zeitschr. f. deutsches Alterthum, v. 293), e. g. in Romanam Curiam, in Flacius, p. 420 ; Wright, p. 37 :

Roma capit singulos et res singulorum :
Romanorum curia non est nisi forum :

other quarters, wherever simony made its appearance, it was vigorously opposed by the Popes. In the Papal Court itself, even during the struggle for the right of investiture, it was not eradicated ; and when the struggle was over, it came forward again with open effrontery.²¹

Romae sunt venalia jura senatorum,
Et solvit contraria copia nummorum.
Hic in consistorio si quis causam regat
Suam vel alterius, hoc imprimis legat :
Nisi det pecuniam, Roma totum negat ;
Qui plus dat pecuniae, melius allegat.

La Bible de Guiot (see above, note 18), v. 711 :

- v. 711 : Corz (*cour*) de Rome, com estes toute
Plaine de pechiez criminax,
Il n'est nulle tant desloiax (*déloyale*).
Puis que l'Apostoles ne voit,
Et il ne fet ce que il doit,
Chéoir (*cadere*) devons et si corper (*faillir*).
765 : Et ce voit-en (*on*) bien que Rome a
Molt (*multum*) abessié (*abaissé*) nostre loi.
Li Duc et li Prince et li Roi
S'en devroient bien conseillier :
Granz conseil i auroit mestier (*besoin*).
770 : Rome nos suce et nos englot (*dévore*),
Rome destruit et ocist tot (*occidit omnes*).
Rome est la doiz (*canal*) de la malice
Dont sordent (*jaillissent*) tuit li malvés (*mauvais*) vice ;
C'est un viviers pleins de vermine.

Bridankes Courtesy (about 1230) by W. Grimm (Gottingen, 1834), s. 148. Von Rôme (compare Grimm's Vorr. s. lvi. and lxii.); e. g. s. 152 :

Das netze quam ze Rôme nie,
mit dem sant Péter vische vie,
das netze ist nû versmâhet :
roemisch netze vâhet
silber golt bürge unde lant ;
das was sant Péter unrekant.
Sant Péter was ze rehte ein degen ;
den lies got siner schafe pflegen,
er hies in niht schâf beschern :
nu wil man schernes niht enbern.
Unreht ist ze Rôme erhaben :
reht gerihte ist ab geschaben.

Passages yet more severe than these may be found in the Troubadours ; for instance, in Guil. Figueira about 1244, and Pierre Cardinal about 1270, see Ruelieder der Troubadours gegen Rom und die Hierarchie, in the original with a German translation by E. Brinckmeier, Halle, 1846, s. 24 and 52. Lastly, there is Dante's Inferno, where he says to the condemned Pope Nicolas III. cant. xix. v. 90 ss., especially v. 112 ss. :

Your god ye make of silver and of gold :
And wherein diff'ret from idolaters,
Save that their god is one, but yours a hundred-fold ?
Ah, Constantine ! What evils caused to flow
Not thy conversion, but those fair domains
Thou on the first rich Father¹ didst bestow.

²¹ Ixonis Carnot. epist. 133, ad Richard. Legatum (in Baronius, 1104, no. 9) in answer

¹ Pope Sylvester. J. C. Wright.—T.

Only Alphonso X., the Wise (properly El Sabio, the learned), king of Castile (1252-1284), supported these Papal encroachments by fresh legislation on his side (*siete Partidas*).²² In other quarters nothing was heard but remonstrance against them and the disorders which ensued. However, the resistance, which some bishops attempted,²³ was just as ineffectual in the end as the reg-

to the charge that simony was yet practiced in his diocese : *Si qua autem adhuc sunt, quae pro consuetudine antiqua publice exigant Decanus et Cantor et alii ministri ab his, qui Canonici sunt, me contradicente et persequente, Romanae Ecclesiae consuetudine se defendunt, in qua dicunt cubicularios et ministros sacri palatii multa exigere a consecratis Episcopis vel Abbatibus, quae oblationis vel benedictionis nomine palliantur, cum nec calamus nec charta gratis ibi (ut ajunt) habeatur : et hoc quasi lapide conterunt frontem meam, cum non habeam quid respondeam, nisi evangelicum illud : quod dicunt servate et facite : sed si id faciunt, secundum opera eorum nolite facere* (Matth. xxiii. 3). Gebhard, the newly-elected Bishop of Wurtzburg, 1122, was obliged to listen to the proposal of the Papal Legate Adalbert, archbishop of Mayence (Codex Udalrici, no. 335, in Eccard, ii. 349) : *si in usus Apostolici Romanam trecentas libras miserit, milique sexcentas dederit, gratiam nostram obtinebit, et de negotio suo deinceps certus et securus manebit.* Comp. in la Bible de Gujot (above, note 18) : li Chardonial—plein de symonie. *Anonymus de recuperatione terrae sanctae* about 1306, cap. 17 (in Bongarsii gesta Dei per Francos, ii. 315) : Consideret (dominus Papa), qualiter ubique terrarum Ecclesiae Romanae subjectarum clamatur, cum aliquis de Simonia arguitur : *Nonne videtis, qualiter dominus Papa et Cardinales munera recipiunt ab ipsis, quibus beneficia conferuntur, praesertim ab illis, quibus de Praelectionibus providetur ?—qualiter consuetum est, quod provisus serviat Curiae de magna pecunia, aliquando septem, octo, vel decem millibus libris, sub gravibus usuris perceptis ab illis, qui publice vocantur Papae mercatores, qui publice dicuntur ejus pecunias accipere, conservare et foenerare ?—Guilelmus Durantis de modo generalis concilii celebrandi* (ann. 1311). P. ii. Rubr. 20 : in curia Romana—coetus dominorum Cardinalium vult habere una cum domino Papa certam portionem a Praelatis, qui promoventur.—Haec haeresis maxime corrumptit Ecclesiam universalem et universos populos, et provisa jam remedia pro nihil reputantur, et cum in curia Romana publice contrarium fiat, ac si non esset peccatum committere simoniam. How many of the jurists passed sentence on Romish simony, see above, § 61, note 9.

²² In this the following rights were allowed to the Pope : To remove and depose bishops, to erect and abolish bishoprics, to confirm and annul elections of bishops, even when the bishop elect was worthy : to dispose of ecclesiastical benefices, to set free every bishop from his metropolitan, and exempt monasteries, to absolve persons excommunicated by others, and to receive all appeals : See Rosseeuw Saint-Hilaire sur l'origine des immunités ecclésiastiques en Espagne, in the Mémoires de l'Acad. des sciences morales et polit. T. 1, Savants étrangers (Paris, 1841. 4.), p. 843. The aim of this legislation was to take from the cities and separate provinces their peculiar rights and liberties : the support of the Pope would be useful for this purpose, it was also of importance to the King in his canvass for the Imperial Crown. See Schlosser's Weltgesch. IV. ii. 43.

²³ For instance, that of Maurice, bishop of Poictiers, against Innocent III., when he had nominated a prior to be *judex delegatus* on a charge brought against him. Innoc. III. lib. xvi. ep. 12, adeo insolens effectus esse Episcopus dicitur saepedictus, ut publice praedicans, quod in episcopatu suo vult Episcopus atque Papa, et asserens, quod per judices delegatos a nobis, quos Papae judicellos appellat, in sua dioecesi nihil fiet, etc. Two English bishops speak in a more marked way. First, Robert Grossthead (Grossetest), bishop of Lincoln (Matth. Paris, ann. 1253, p. 876) : *Domini Papae et Regis redar-gutor manifestus, Praelatorum correptor, Monachorum corrector, Presbyterorum director, clericorum instructor, scholarium sustentator, populi praedicator, scripturarum sedulus perserutator diversarum, Romanorum malleus et contemptor,—in officio pontificali sedu-*

ulations of princes,²⁴ directed against this boundless extension of

lus, venerabilis, et infatigabilis (Roger. Bacon. opus majus, p. 45 : qui solus novit scientias). His opuscula, viz., sermons and letters are published in Brown app. ad fasciculum rerum expetendarum et fugiendarum, p. 244 ss. Cf. H. Wharton Anglia sacra, ii. 344. When Innocent IV. commanded him to give a canonry to a Papal cadet, who was still a boy (see epist. Innocentii in Brown, p. 399), he answered with a true call for repentance (Matth. Paris, ann. 1252, p. 870 ss. Brown, p. 400) : E. g. Non est igitur praedictae literae tenor apostolicae sanctitati consonus, sed absonus plurimum et discors. Primo quia de illius literae—superaccumulato Non obstante (see § 61, note 9, toward the end)—scatet cataclysmus inconstantiae, audaciae et procacitatis, invercundiae, mentiendi, fallendi, etc.—Praeterea post peccatum Lucifer—non est, nec esse potest alterum genus peccati tam aduersum et contrarium Apostolorum doctrinae et evangelicae,—quam animas pastoralis officii et ministerii defraudatione mortificare et perdere. Quod peccatum—committere dignoscuntur, qui in potestate curae pastorales constituti, de lacte et lana ovium Christi suis carnibus et temporalibus desideriis et necessitatibus prospiciunt, et pastoralis officii ministeria—non administrant.—Sicut in bonis causa boni melior est suo causato, sic etiam in malis causa mali pejor est suo causato. Manifestum est, quod talium interemporum—in Ecclesiam dei introductores ipsis pessimis interemtoribus sunt pejores, Lucifer et Antichristo proximiores, et in hac pejoritate gradatim, quanto magis superexcellentes, qui ex maiore et digniore—potestate—magis tenentur ab Ecclesia. Dei tales interemptores pessimos excludere et extirpare. Non potest igitur sanctissima sedes apostolica—aliquid vergens in hujusmodi peccatum—mandare. Hoc enim esset evidenter suae sanctissimae potestatis et plenissimae vel defectio, vel corruptio, vel abusio.—Nec potest quis immaculata et sincera obedientia eidem sedi subditus et fidelis—hujusmodi mandatis—undecunque emanantibus, etiamsi a supremo Angelorum ordine evenient, obtemperare, sed necesse habet totis viribus contradicere et rebellare. Propter hoc, reverende Domine, ego ex debito obedientiae et fidelitatis, quo teneor utrius parenti apostolicae sedis sanctissimae,—his quae in praedicta litera continentur—filialiter et obedienter non obedio, sed contradico et rebello. The Pope was furiously angry; however, the Cardinals gave him this advice : Non expediret, Domine, ut aliquid durum contra Episcopum statueremus : ut enim vera fateamur, vera sunt, quae dicit. Therefore, consilium dederunt domino Papae, ut omnia haec conniventibus oculis sub dissimulatione transire permetteret, ne super hoc tumultus excitaretur. Maxime propter hoc, quia scitur, quod quandoque discessio est ventura. Comp. Roberts's complaints of ecclesiastical abuses on his death-bed. Matth. Paris, p. 874 ss. Sevalus, archbishop of York, pursued a like course of action ; he was excommunicated, indeed, by the Pope (idem. ann. 1257, p. 956), but, de solatio caelitus mittendo minime desperavit, omnem papalem tyrannidem patienter sustinendo. Nec opimos Ecclesiae suae reditus transalpinis indignis et incognitis conferre volebat, nec curavit voluntati papali, relicto juris rigore, muliebriter obedire vel inclinari. Quapropter quanto magis praecipiente Papa maledicebatur, tanto plus a populo benedicebatur, tacite tamen, propter metum Romanorum. He also wrote to the Pope, and complained of this persecution (l. c. ann. 1258, p. 969) : Humiliter igitur in scripto suo et instanter, sicut memoratus Episcopus Lincolniensis Robertus fecerat, petuit, ut consuetas tyrranides temperaret, humilitatem ss. praedecessorum sequendo. Dixit enim Dominus Petro : *Pasce oves meas, non tonde, non excoria, non eviscera, vel devorando consume.* Sed dominus Papa subsannans et contemnens indignationem concepit non minimam, et salubribus monitis renuit inclinari. It is remarkable that in the case of both these men, even the excommunicated Sevalus, reports of their miracles spread abroad after their death, significant of their sanctity (l. c. p. 876, s. 969). Robert was so generally held to be a saint, that in the year 1307 Clement V. was earnestly sued to canonize him by King Edward I., the University of Oxford (see the letters in Wood Hist. et antiquitates Univ. Oxoniensis, i. 105) and the Cathedral-chapter of London (see in Brown praef. to the Fasciculus rerum expet. et fugiend. p. xxviii. Wharton Anglia sacra, ii. 343).

²⁴ In the matter of Legates, the Kings of France (de Marca, lib. vi. c. 31) and England

Papal power, were for the most part fruitless in results. Far more dangerous to the Pope would have been the resistance of the Latin Patriarchs in the East,²⁵ had not their very existence been (lib. v. c. 56, § 5 ss. Lappenberg's Gesch. v. Engl. ii. 256) made good their right that none should be sent without their permission. When Urban II. sent a legate to William II., king of England, the king came to an agreement with him, ne Legatus Romanus ad Angliam mitteretur, nisi q' em Rex praeciperet (Hugo Flavin. in chron. Virdun. p. 241). This right was maintained down to the reign of Henry III.; when he wished to assert it, in the year 1244, Magister Martinus was sent (Math. Paris, p. 641), habens novam et inauditam potestatem, videlicet ampliorem, quam unquam meminimus aliquem Legatum habuisse, but (p. 645) Legati vestibus *pro privilegio Regis sophistice salvando* non insignitus. For this reason Matthew Paris calls him the Legatus sophisticus. When, however, the Barons of England, in the year 1264, reminded a Legate of this privilege, he already gave the answer: Aseritis privilegium vestrum esse, quod ad vos Legatus non veniat non petitus. Sed absit, ut Romana Ecclesia lege propria se arctaverit, ne possit per alios visitare, quorum visitationem praesentialiter nequit adimplere. Nec potuit aliquis summus Pontifex legem ponere successori, quia non habet imperium par in parem, nec Papa unius praedecessoris heres est, sed successor (ex ms. in de Marca, lib. v. c. 56, § 13). Thus, also, Boniface VIII. asserted against Philip the Fair (Rayn. 1303, no. 34), quod Romanus Pontifex Legatos de latere ac Nuncios libere mittere potest ad quaevis imperia, regna vel loca, prout vult, absque petitione cuiuslibet vel consensu, *usu vel consuetudine contrarii nequaquam obstantibus*. For Germany, we have only the efforts of the Hohenstaufen family to point out. Frederick I. complained, in his quarrel with Hadrian IV. (above, § 52, note 13), de Cardinalibus quoque sine permissione imperiali libere per Regnum transeuntibus, et regalia Episcoporum palatia ingredientibus, et Ecclesias Dei gravantibus: de injustis appellatiomibus et cacteris quam plurimis brevitatem superantibus (Baronius 1159, no. 15), and replied to the remonstrance of the Pope (l. c. no. 6): Cardinalibus utique vestris clausae sunt Ecclesiae, et non patent civitates; quia non videmus eos Cardinales, sed Carpinales; non praedicatores, sed predatores; non pacis corroboratores, sed pecuniae raptore; non orbis reparatores, sed auri insatiabiles corrsores. Cum autem viderimus eos, quales requirit Ecclesia, portantes pacem, illuminantes patriam, assistentes causae humilium in aquitate, necessariis stipendiis et comineatu eos sustentare non differemus. Hadrian complains to the German bishops (Goldast. constitt. imper. i. 266), [Imperator] facto edicto, ne aliquis de Regno vestro ad apostolicam sedem accedat, per omnes fines ejusdem Regni custodes dicitur posuisse, qui eos, qui ad sedem apostolicam venire voluerint, violenter debeant revocare. The Emperor justifies this measure in his letter to the bishops (l. c.): Introitum et exitum Italiae nec clausimus edicto, nec claudere aliquo modo volumus peregrinantibus, vel pro suis necessitatibus rationaliter cum testimonio Episcoporum et Praelatorum suorum Romanam sedem adeuntibus: sed illis abusionibus, quibus omnes Ecclesiae Regni nostri gravatae et attenuatae sunt, et omnes paene claustrales disciplinae emortuae et sepulta, obviare intendimus. Comp. above, § 53, note 5, toward the end. Henry II. wished to do the same for England (Constit. Clarend. viii., above, § 52, note 25): nevertheless, just as in England a good opportunity presented itself to compel the King to a retraction on oath (the same, note 28); so the Pope succeeded in binding the German Emperors also by an oath, after the time of Otto IV. (see above, § 54, notes 14 and 17, § 58, note 8).

²⁵ The consciousness of the original dignity of these sees descended even to the Latin Patriarchs, who were raised to them. Rudolph, the second Patriarch of Antioch, declared already, utramque Petri esse cathedram, Antiochenam et Romanam, eamque quasi primogenitam insignem praerogativa, and styled himself collega et frater domini Papae; nevertheless, he was overmatched (Willem. Tyrius, lib. xv. c. 12, 13, he, however, on this point is not an impartial judge, for territorial disputes were pending between the sees of Antioch and Tyre, Baronius 1136, no. 26 ss., esp. Egidii legati acerrima disputatio adv. Antioch. Patriarcham in Ludewig reliquiae manuscriptt. ii. 452): but even in the year

so entirely dependent upon Rome and the Western World. In France alone, where the best acquaintance with ancient law, and the greatest political unity and power, was still to be found, Lewis IX., by the Pragmatic Sanction (in 1269),²⁶ imposed powerful re-

1198, Innocent III. (lib. i. ep. 50. Decr. Greg. lib. i. tit. vii. c. 1) had to rebuke a Patriarch of Antioch, who had encroached on the Papal reserved right of translating bishops.—In the same manner, Innocent III. (lib. xi. ep. 76), so early as 1208, had reason to complain of Thomas, the first Patriarch of Constantinople, for disobedience and disregard of the Papal Legates. Honorius III. thus reproached his successor Everardus (Raynald. 1218, no. 26–28): *Sicut—aceperimus, tu supra te volens extendere alas tuas—legatos de tuo latere diriges cum ea plenitudine potestatis, qua legati sedis apostolicae diriguntur. Illi enim per Patriarchatum tibi commissum causarum audientiam, quae ad te, vel ad ipsos per appellationem minime deferuntur, sibi vindicare praesumunt, et inconsultis Praelatis eorum subditos excommunicant, excommunicatos absolvunt,—appellationibus non deferrunt, quas contingit ad sedem apostolicam interponi.*—Ecclesiastica etiam beneficia conferunt, non exspectantes, quod ad te potestas eadem conferendi juxta Lateranense concilium (above, note 13) devolvatur: thus closely resembling their Roman brethren. Honorius III. treats Matthaeus, the following Patriarch, yet worse (Raynald. 1222, no. 22 s.), and upbraids him thus: *ut quasi velis ab aquilone tuum solium collocare, excommunicatos a Legato apostolicae sedis passim absolvis, et appellationibus legitime interpositis ad eandem deferre contemnis..* According to Raumer, iii. 388, note 3, there is much to be found on this head in the Regest. Honorii meditis. But the Patriarchs of Constantinople and Antioch, who, according to Math. Paris, ann. 1238, p. 481, excommunicated the Pope, were not, as Raumer says, vi. 316, Latin, but schismatic prelates. See Raynald. 1238, no. 35.

²⁶ The causes of this are plain from the Gravaminibus Ecclesiae Gallicanae (in Brown app. ad fasciculum rerum expet. et fugiend. p. 238), which must, as is clear from the contents, have been brought by ambassadors of Lewis IX. to Innocent IV., probably about the year 1246: *Dominus Rex jamdudum moleste sustinuit gravamina, quae inferuntur Ecclesiae Gallicanae, et per consequens sibi et regno. — Nunc autem videns, quod per patientiam istam non proficiat, sed quotidie crescant gravamina; habita super hoc deliberatione et consilio diligent, misit nos ad exponentum vobis super hoc libertatem suam et consilium suum.—Mirantur etian et moventur Barones et omnes Regni proceres et magnates, non solum quod haec fiunt, sed quod dominus Rex sustinet, quod haec fiunt: immo quod ipse, ut verbis eorum utar, ita permittit destrui Regnum suum, sicut sui dixerunt ei nuper in colloquio apud Rontilarem congregato: nec solum moventur super his dominus Rex et magnates, sed etiam generaliter omne Regnum motum est et turbatum usque adeo, quod devotio illa, quam solebant habere ad Romanam Ecclesiam, jam quasi penitus est extincta et non solum extincta, sed conversa in odium vehemens et rancorem vehementem.—Valde timendum, ne istud odium, quod conceptum est contra vos in cordibus hominum fere omnium, possit parere aliquod grande monstrum.—Domine, dico vobis, salva pace vestra, quod nova facitis super terram: vere nova facitis et hactenus inaudita. Quoniam, ut de multis taceam, a saeculo non est auditum, quod Ecclesia Romana pro quaunque necessitate subsidium pecuniarum vel tributum de temporalibus suis exigerit ab Ecclesia Galicana.—A saeculo non est auditum, quod alias dictum fuerit verbum istud: da mihi tantum, vel excommunico te.—A saeculo non est auditum, quod summi sacerdotes et Apostolorum successores—talliali fuerint, qui modo per nuncios vestros talliantur sicut servi vel Judaei. For this the evidence of facts was brought forward. Item gravantur Ecclesiae in multis provisionibus et pensionibus multorum: confertis enim pro voluntate vestra domos et grangias (barns) et villas monachorum.—Item gravantur Ecclesiae in collatione beneficiorum et praebendarum multarum. Nam in qualibet Ecclesia—contulisti multas praebendas et etiam non vacantes; et non solum praebendas, sed etiam personatus vacatueros, quod omnibus videtur mirabile, cum nec sic factum fuerit usque modo,*

strictions at least on some abuses. But in this country, during the struggle of Philip the Fair with Boniface, an opposition en-

nec videatur juri vel rationi consonum, quod sic fiat. Pope Alexander had once taken refuge with King Lewis in France. Ipse tamen in nullo gravavit Ecclesiam Gallicanam, ut nec unam solam praebendam aut aliud beneficium ipse Papa dederit ibi; sed nec aliquis praedecessor suus, nec multi etiam de successoribus dederunt in sua auctoritate beneficium aliquod usque ad tempus domini Innocentii tertii, qui primus assumpsit sibi jus istud, in tempore suo revera dedit multas praebendas, et similiter post ipsum dominus Honorius et dominus Gregorius simili modo fecerunt: sed omnes praedecessores vestri, ut publice dicitur, non dederunt tot beneficia, quot vos solus dedidistis isto modico tempore, quo rexistis Ecclesiam vestram. Et si successor vester in tantum excederet vos in hoc, sicut excessistis praedecessores vestros, certe ipse conferret communia beneficia, et sic non restabit aliud consilium indigenis nostris nisi fugere aut fugare.—Nuncii vero de novo accesserunt, nova gravamina addentes supradictis. Nuper enim mandavistis Clericis, ut quis persecutor vester (Frederick II.) ad partes istas venturus est, *mitant vobis militiam munitam ad resistendum ei*, quia non est consilium cedere venienti: super quo satis excusabiles sunt Ecclesiae, quia non habent militiam, nec est in potestate eorum mittere quod non habent.—Item magnum et novum subsidium modo petitis ab Ecclesiis per fratres minores, qui modo discurrunt per totum Regnum, et intolerabiliter gravant Ecclesias multis modis et diversis. Their mode of proceeding is represented (comp. § 56, note 8), and after many admonitions (for the fixing of the date of this passage is important, quia dominus Rex crucesignatus est, et in terram sanctam profecturus est, vult—quod Ecclesiae Regni large subveniant ei) it is brought to a close with the proposal: *rogat vos affectuosissime dominus Rex—pro tollendo scandalo de cordibus multorum, et servanda et retinenda devotione Ecclesiae Gallicanae et Regni, et propter amorem domini Regis, ut praemissis gravaminibus, quae ipse nullo modo potest aequo animo sustinere, quia in his videt exheredationem suam, et intolerabile periculum imminere, de caetero parcatis Ecclesiis et ab hujusmodi cessare velitis, et quae de novo facta sunt revocare.* Power was granted the King by the Pope to appoint to the episcopal sees in France. This grant he rejected, and threw into the fire the Bull made out for this end, which his ambassador brought with him on his return from Rome (see the vita Ludovici, written by his Chancellor Broimardus in Choppini monasticon, lib. i. tit. i. § 9). Lewis answered the Pope in the same manner, according to Matth. Paris, ann. 1250, p. 797, when he wished to have the tithes of the French Church for three years, to carry on his war against Frederick II. and Conrad, quod nullo modo toleraret Ecclesiam sui regni depauperare ad expugnandos Christianos. When, however, he suffered the tithe to be granted for three years to himself by the Pope, for his own crusade, the clergy of France were very indignant, and sent a threatening letter to the Pope. Clement IV.'s answer to this is in Rayn. 1267, no. 55: *Jerusalem anathemate pollutam propter exactionem decimae stare coram Crucifixi hostibus nequivis dictarum literarum tenor asseruit; et ipsarum auctor nimis inconsulte, quasi similia comminans, orientalem Ecclesiam propter exactiones hujusmodi ab obedientia Ecclesiae Romanae subtractam, quasi veritatis omnino expers et inscius affirmavit.*—Vobis eligeratis potius excommunicationum sustinere sententias, quam nostris circa hujusmodi obedire mandatis; adjicentes—ad praedicti confirmationem erroris, jam apud vos infixam et immobilem transisse sententiam, quod non cessaret exactio tributorum, donec cessaret devotio subditorum. When Clement IV., in the year 1266, laid claim to the plenaria disposition of all benefices (see above, note 13), then in March, 1269 (according to the reckoning of the time, 1268), Lewis issued the Pragmatic Sanction, in order to win back his clergy in some measure, see *Ordonnances des Roys de France de la troisième race recueillies par M. de Laurière.* Paris, 1723, fol. 1, 97. Leibnitii mantissa cod. jur. gent. p. 157. The most important points in it are these: *statuimus et ordinamus primo, ut Ecclesiarum Regni nostri Prelati, patroni, et beneficiorum collatores ordinari jus suum plenarium habeant, et unicuique sua jurisdictio debite servetur.* II. Item Ecclesiae cathedrales et aliae regni nostri liberas electiones et earum effectum integraliter habeant.—V. Item ex-

countering not only isolated results, but the fundamental principles of the Papal system, first found vent,²⁷ while the extravagant assumptions of the Papacy were laid bare to the view of all.²⁸

actiones et onera gravissima pecuniarum per Curiam Romanam Ecclesiae Regni nostri impositas vel imposta, quibus Regnum nostrum miserabiliter depauperatum extitit, sive etiam imponendas vel imponenda, levari aut colligi nullatenus volumus, nisi duntaxat proportionabili, pia et urgentissima causa, et inevitabili necessitate, ac de spontaneo et expresso consensu nostro et ipsius Ecclesiae Regni nostri. The conclusion runs: Harum tenore universis justitiariis, officiariis et subditis nostris—mandamus, quatenus omnia et singula praedicta diligenter et attente servent,—atque servari—inviolabiliter faciunt: nec aliquid in contrarium quovis modo faciant vel attentent, seu fieri vel attentari permittant: transgressores aut contra facientes—tali poena plectendo, quod caeteris deinceps cedat in exemplum. E. Richer hist. concill. general. lib. iii. c. 7. The genuineness of this document, which is attacked especially by P. Daniel, has been demonstrated in *Libertés de l'église Gallicane*, edit. ann. 1771, iii. 633, 667. Velly hist. de France, iii. 239.

[On the Pragmatic Sanction of Lewis IX., comp. Prof. W. G. Soldan, in Niedner's *Zeitschrift für die hist. Theol.* 1856, s. 377–451. Prof. Soldan reviews the objections lately urged by ultramontane writers against the genuineness of this document, viz.: R. Thomassy, de la Pragm. Sanction, Paris, 1844, and Karl Rosen, die Pragm. Sanction, München, 1853. In opposition to them he shows: 1. That this Sanction has its basis in the events of the period; 2. That the omission of reference to the *Regalia* is not against its authenticity; 3. That it is in harmony with the spirit of the times and the character of Lewis; 4. That in its form it is not liable to suspicion; 5. That there is abundant historical evidence of its genuineness.]

²⁷ Johannes de Parrhiis de potest. regia et papali (see above, § 59, note 36), cap. xi. in Goldasti monarchia, ii. 120: Potestas Praelatorum inferiorum non est a Deo mediante Papa, sed immediate a Deo, et a populo eligente vel consentiente. Non enim Petrus, cuius successor est Papa, misit alios Apostolos, quorum successores sunt alii Episcopi: nec LXXII. discipulos, quorum successores sunt Presbyteri Curati; sed eos Christus immediate misit (Joann. 20, et Luc. 19). Nec Petrus insufflavit in alios Apostolos, dans eis Spiritum sanctum, et potestatem dimittendi peccata, sed Christus (Joann. 20, et deinde 21). In novo (i. e. Gratiani Decr. dist. xxi. c. 2) dicitur, quod omnes a Christo simul eandem et aequalem acceperunt potestatem. Paulus etiam dicit, suum apostolatum non accepisse a Petro, sed a Christo, seu a Deo immediate ad Gal. 1, etc.

²⁸ Compare the remarkable expression of William Durant, bishop of Mende, otherwise so devoted to the hierarchy, in his tractatus de modo celebrandi generalis concilu (1311, written in preparation for the Council at Vienne, printed more than once, among other places in the Tractatus illustrum Jurisconsultorum, Tome xiii. P. i. Venet. 1584. fol., f. 159.) Part ii. rubr. 7: Proverbium vulgare est: *qui totum vult, totum perdit.* Ecclesia Romana sibi vindicat universa: unde timendum est, quod universa perdat: nam, sicut Salomon Proverb. xxx. [v. 33]: *qui multum emungit, sanguinem elicet.* Sicut habetur exemplum de Ecclesia Gracorum, quae ex hoc ab Ecclesiae Romanae obedientia dicitur recessisse.

[In the inedited documents for the History of France, now in the course of publication, a volume, edited by J. Tardi, has just been issued (1855) on the "Privileges accorded to the crown of France by the Holy See," from the original documents in the archives of the empire.]

SECOND CHAPTER.

HISTORY OF THE HIERARCHY OF THE CHURCH IN OTHER LANDS.

§ 63.

THEIR RELATIONS TO THE STATES.

While in the great struggles of this age, in which Church and State strove for the chief power, the Popes made themselves masters of both, the hierarchies of the Church in the different countries could only attain that independence of all secular power¹ at which they aimed, so far as the existing feudal relations allowed.² The earlier influence of the lords of the soil over the appointments to bishoprics and abbacies vanished altogether in Germany from the time of Otto IV.,³ and was straitened by degrees in other countries⁴ also. But in all cases, even when appointed on the side of the Church, the prelates had to take the oath of fealty, as before,⁵ to discharge their feudal obligations,⁶ and in all causes relating to fiefs to acknowledge the right of their feudal lord.⁷ On these

¹ How this was striven for, see above, § 48, note 12. Comp. Urbani II. epist. 14, ad Rodulphum Comitem (Mansi xx. 659): *Nosse te volumus, quia nulli sacerdotalium dominio potestatem in clericos habere licet; sed omnes clerici Episcopo soli esse debent subjecti. Quicunque vero alter praesumpserit, canonicae procul dubio sententiae subjecbit.* § 49, notes 14 and 15, § 50, note 8 toward the end.

² Comp. above, § 49, note 5, § 50, note 8.

³ In the 12th century imperial nominations of bishops, or imperial influence over the elections, came into vogue, see Sugenheim's *Staatsleben des Klerus im Mittelalter*, Bd. 1 (Berlin, 1837), s. 153; also Sugenheim's *Kirchenstaat*, 1854. Otto IV. and Frederick II. had, however, to disclaim this right (§ 54, notes 17 and 20).

⁴ In France, England, and Spain, there was a regulation established by law, that the King's permission to elect, and afterward his confirmation of the election, must be obtained. In Naples, Hungary, Denmark, and Sweden, nomination by the King continued till the 13th century. Staudenmaier's *Gesch. d. Bischofswahlen* (Tübingen, 1830), s. 249. Sugenheim, i. 197.

⁵ This was acknowledged by Innocent III. in Conc. Lateran. ann. 1215, c. 43 (Decr. Greg. lib. ii. tit. 24 c. 30). Even in Germany the Prelates could not assume the regalia before doing so. Sugenheim, i. 162.

⁶ Thomassin. P. iii. lib. i. c. 45-48. Hullmann's *Gesch. d. Ursprungs d. Stände in Deutschland*, 2te Aufl. s. 272 ff. Montag's *Gesch. d. deutschen staatsburgerl. Freiheit*, ii. 447.

⁷ This right was recognized by Alexander III. Decr. Greg. lib. ii. tit. 2, c. 6 (the rubric also runs thus: *Si quaestio feudalis est inter clericum et laicum, cognoscet dominus feudi*) and c. 7. Thus Innocent III. interceded with King Philipp II. of France (lib. viii. ep. 190) for the Bishops of Auxerre and Orleans. *dum corum saisisti fecisti regalia,*

feudal relations the lords of the soil grounded also the right of Regalia (*jus Regaliae*) and the right of spoils (*jus spolii* or *jus exuviarum*).⁸ Although these rights were disallowed by the Popes,⁹ the German Emperors were not compelled to resign them until the time of Otto IV.¹⁰ Even then they were generally maintained by the German Princes,¹¹ by the rest of the monarchs, and also by their most powerful vassals.¹² The German Emperors

immo etiam quaedam alia praeter illa,—levi occasione praetensa, quod quidam eorum milites in tuo exercitu constituti ad locum, quem eos adire praeceperas, ire cum aliis noluerint, absentibus eisdem Episcopis per licentiam a te liberaliter impetratam. Et cum—tibi humiliter supplicaverint, ut faceres eis reddi regalia sic subtracta, paratis postmodum curiae tuae subire judicium, sicut in talibus fieri consuevit, tu supplicationes eorum admittere nolusti, etc. Cf. lib. xiv. ep. 52.

⁸ Compare on this head De Marca de conc. Sac. et Imp. lib. viii. c. 1 ss., especially c. 17 ss. Natalis Alex. hist. ecclesiast. ad saec. xiii. et xiv. diss. viii. Meibomii rerum Germ. iii. 185 ss. Planck, IV. ii. 79. Sugenheim's Staatsleben des Klerus im Mittelalter, i. 267. Traces of both are to be found even earlier than this. From the daring robbery of the ecclesiastical heritage (Thomassini *vetus et nova disciplina de beneficiis*, P. iii. lib. ii. c. 51 ss.), the right of spoils developed itself, and was already old in the time of Frederick I., see § 53, note 6. Probably the most ancient hint about the Regalia in Germany is to be found in Frider. Archiep. Colon. epist. ad Otton. Bamb., see above, § 49, note 21. On the ground of the Regalia, see the declaration of Philip the Fair to the Bishop of Auxerre (quoted by De Marca from the Act of Parliament, lib. viii. c. 22, § 6): *Sicut feodum vassallo vacans interim cum suis redditibus a domino licite occupatur, et propter defectum hominis, ut vulgari nostrae patriae verbo utamur, de jure et generali consuetudine Regni nostri per dominum, quo usque superveniat persona, quae illi serviat, licite detinetur: sic nos et nostri antecessores vacante Ecclesia Carnotensi et temporalem jurisdictionem et bona temporalia accipimus, et nostros facimus omnes fructus, qui proveniunt ex eisdem. Non solum autem nostram potestatem in bonis episcopaliis exercemus; imo bona temporalia praebendarum et dignitatum, sive sit jurisdictionis temporalis, sive alia bona temporalia, quae possint ad aliquem pertinere, cum vacante praebenda vel dignitate concedimus, et de eis, praedicto tamen modo, disponimus nostro jure.*

⁹ Conc. Claromont. ann. 1095, can. 31. Conc. Tolosan. ann. 1119, can. 4.

¹⁰ By Otto IV. and Frederick II., see § 54, notes 17 and 20, by Rudolph of Hapsburg, § 58, note 8.

¹¹ Sugenheim, i. 289. Frederick II.'s universal prohibition of the spoils in the *Confederatio cum Principibus ecclesiasticis*, Frankfort 1220, in Pertz, iv. 236, was never observed. When the Margraves of Brandenburg, in 1244, renounced all claim on the right of spoils, nevertheless bailiffs and patrons continued to exercise it. Spieker's Kirchenu. Reformationsgesch. d. Mark Brandenburg, i. 412, 585.

¹² Sugenheim, i. 294. The Conc. gener. Ludg. ann. 1274, can. 12, in Mansi xxiv. 90. pronounces sentence of excommunication (as Guil. Durantis sen., who was present at it, says, in his comm. ad canones Conc. Ludg. ad clamorem Praelatorum Franciae et Angliae) against those, who, regalia, custodiam, sive guardiam advocationis, vel defensionis titulum in ecclesiis, monasteriis, sive quibuslibet aliis suis locis, *de novo* usurpare conantes, bona ecclesiarum, monasteriorum, aut locorum ipsorum vacantium occupare prae sumunt. On the other hand: Qui autem ab ipsarum ecclesiarum caeterorumque locorum fundatione, vel ex antiqua consuetudine, jura sibi hujusmodi vindicant. ab illorum abusu sic prudenter abstineant, et suos ministros in eis solicite faciant abstinere, quod ea, quae non pertinent ad fructus sive redditus provenientes vacationis tempore, non usurpent; nec bona

retained the *jus primarum precum*,¹³ as a pitiful remnant of the Regalia.

Since even the clergy in the 12th century were taxed by their secular lords, not unfrequently in an unjust and violent manner,¹⁴ Alexander III. (in 1179) decreed that all contributions to the necessities of the State which were not founded on feudal obligations should depend upon their own free grant;¹⁵ Innocent III. (1215) made them dependent on the Pope's permission.¹⁶ Though

caetera, quorum se asserunt habere custodiam, dilabi permittant, sed in bono statu conservent. However, the Regalia were again made a subject of contention with Philip the Fair by Boniface VIII., but without result, see above, § 59, note 13, and note 21, no. V.

¹³ The first known documents on this head in Germany are by Conrad IV., king of Rome, in the year 1242 (found in Senkenberg Cod. Probationum, p. 9), and by King Richard (in *Guil. Durantis specul. juris lib. iv. P. iii. tit. de dignitat. et praeb.* § 2, note 7, and in *Aventini antiqu. Altah. in Oefele scriptt. rer. Bavar. i. 728*). He, however already makes use of the expression: *vestigia praedecessorum nostrorum et imperatorum Romanorum inhaerentes.* Rudolph of Hapsburg writes to an abbot in the *Paraleipomena ad chron. Ursperg. ann. 1286*, and quoted thence in *Goldast. const. Imp. iii. 446*: *Cum ex antiqua et approbata, ac a divis Imperatoribus et Regibus ad nos producta consuetudine quaelibet Ecclesia in nostro Romano Imperio constituta, ad quam beneficiorum ecclesiasticorum pertinet collatio, super unius collatione beneficii precum nostrarum primarias admittere teneatur, Devotionem tuam rogamus, quatenus huic clero de ecclesiastico beneficio, quod ad tuam collationem attinet, ob reverentiam sacri Imperii, studeas liberaliter providere.* Cf. *Wurdtein subsid. dipl. ii. 1.* On the whole question, *Thomassinus P. ii. lib. i. c. 54*, especially *H. C. de Senkenberg de jure primarum precum Regum Germaniae Imperatorumque, indulto papali haud indigente tract.* ed. *R. C. de Senkenberg. Francof. ad M. 1784. 4.*

¹⁴ Concerning the taxes and immunities of the clergy at this time, consult particularly *Thomassin, P. iii. lib. i. c. 41–44.* *Planck, iv. ii. 158.* *Bernard of Clairvaux*, in his letter of thanks to the Duke of Lorraine for the release from taxation (*epist. 119*), writes about it like Ambrose (vol. i. part 2, § 91, note 2): *Alioquin non renuimus Domini nostri sequi exemplum, qui pro se non designatus est solvere censem, parati et nos, libenter quae sunt Caesaris Caesari reddere, et vectigal cui vectigal, et tributum cui tributum: praesertim quia iuxta Apostolum non tam debemus requirere datum nostrum, quam vestrum lucrum* (*Phil. iv. 17*).

¹⁵ *Conc. Lateran. III. can. 19*, in *Mansi xxii. 228* (*Decr. Greg. lib. iii. tit. 49, c. 4*): *in diversis partibus mundi rectores et consules civitatum neonon et alii, qui potestatem habere videntur, tot Ecclesiis frequenter onera imponunt, et ita gravibus eas crebrisque exactionibus premunt, ut deterioris conditionis factum sub eis sacerdotium videatur, quam sub Pharaone fuerit, qui divinac legis notitiam non habebat.* — *Universa fere onera sua imponunt Ecclesiis, et tot angariis eas affligunt, ut illud eis, quod Jeremias deplorat, competere videatur: Princeps provinciarum facta est sub tributo* (*Thren. i. 1*). *Sive quidam fossata, sive expeditiones, sive quaelibet sibi arbitrentur agenda. de bonis Ecclesiarum, clericorum et pauperum Christi usibus deputatis cuneta volunt fere compilari.* — *Quocirca sub anathematis districione severius prohibemus, ne de caetero talia praesumant attentare, nisi Episcopus et Clerus tantam necessitatem vel utilitatem aspexerint, ut absque ulla coactione ad relevandas communes necessitates, ubi laicorum non suppetunt facultates, subsidia per Ecclesias existiment conferenda.*

¹⁶ *Conc. Lateran. IV. can. 46*, in *Mansi xxii. 1030* (*Decr. Greg. lib. iii. tit. 49, c. 7*), with reference to Alexander's decree: *Verum si quando Episcopus simul cum Clericis tantam necessitatem vel utilitatem prospexerint, ut—subsidia per Ecclesias duxerint confe-*

even now the clergy were often burdened with heavy imposts in favor of individual princes with the Pope's concurrence,¹⁷ still the fundamental principle could now be maintained that the clergy should never be taxed by secular princes.¹⁸ Only in the free towns there was developed an opposition, more active as issuing from the people, against the freedom from taxation usurped by the clergy.¹⁹

In the same manner the clergy claimed immunity from all secular tribunals,²⁰ especially in personal cases. But since the lenity

renda: praedicti laici humiliter et devote recipient cum actionibus gratiarum. Propter imprudentiam tamen quorundam Romanum prius consulant Pontificem, cuius interest communibus utilitatibus providere.

¹⁷ There are instances of Papal grants above, § 56, note 17, § 57, note 2, § 59, note 10. Cf. Thomassin. P. iii. lib. i. c. 41, § 6 ss. c. 43, § 5 ss.

¹⁸ Many Prelates indeed still sought to obtain immunity from taxation by privilege from their sovereign lord (see Hullmann's *Gesch. d. Ursprungs d. Stande*, 2te Ausg. s. 235): others, however, demanded this as a right in the widest signification. Cf. Conc. Narbon. ann. 1227, can. 12, in Mansi xxiii. 24: Item statuimus, ut clerici occasione patrimonii sui vel personae nullatenus tallientur, etc. In like manner, Conc. Tolosan. ann. 1229, can. 20, 21. Conc. Biterrense ann. 1246, can. 22. Conc. Nannet. ann. 1264, can. 7. Conc. Colon. ann. 1266, can. 8. Conc. Budense ann. 1279 can. 59 et 60 (in Mansi xxiv. 300). Compare the attempts of Boniface VIII., above, § 59, note 6 and the following.

¹⁹ Compare note 15. In this point the Lombard cities came first with their example, Raumer's *Hohenstaufen*, v. 110. Hullmann's *Städtesessen*, iv. 127. Hurter's *Innoc. III.* iii. 288. In the year 1230 the men of Zurich agreed on the law that priests also should pay taxes, keep watches, repair walls and moats, and bear other common burdens, see Tschudi's *Schweizerchronik* for the year 1230.

²⁰ This was claimed in its widest signification by Urban II. See above, note 1. Cf. Conc. Nemausense ann. 1096, can. 14 (Mansi xx. 936): Nullus—nec clericos, nec monachos in curiam suam ad saeculare cogat venire judicium: quoniam hoc rapina esset et sacrilegium. However, Gratian, under caus. xi., qu. 1, c. 30, thus states the practice of the courts in his time on this point: Ex his omnibus datur intelligi, quod in civili causa clericus ante civilem judicem conveniendus est. In criminali vero causa non nisi ante Episcopum est clericus examinandus. On the other hand, Alexander III. already declares once more, Conc. Lateran. ann. 1179, can. 14: Sane quia laici quidam ecclesiasticas personas, et ipsos etiam Episcopos, suo judicio stare compellunt; eos, qui de caetero id praesupserint, a communione fiducium decernimus segregandos. And Innocent III. (Decr. Gregor. lib. ii. tit. 2, c. 12) upbraids the Archbishop of Pisa with this charge: asseristi, te usque ad haec tempora tenuisse, quod licitum sit cuilibet clero renunciare saltem in temporibus causis juri suo, et sibi laicum judicem constituere, praesertim ubi adversarii voluntas accedit, and disclaims this opinion, cum non sit beneficium hoc personale, cui renunciari valeat, sed potius toti collegio ecclesiastico sit publice indulatum, cui privatorum pactio derogare non potest. Frederick II., on his coronation at Rome 1220, granted the widest exemption to the clergy, by the constitution which was adopted also into the cod. Justin. under lib. i. tit. iii. l. 33 (Pertz, iv. 244): Statuimus, ut nullus ecclesiasticam personam in criminali quaestione vel civili trahere ad judicium saeculare praesumat, contra constitutiones imperiales (see vol. i. Part 2, § 113, note 14) et canonicas sanctiones. Quod si fecerit, actor a suo jure cadat, judicatum non teneat, et judex sit ex tunc postestate judicandi privatus. On the whole subject, comp. Thomassin. P. ii. lib. iii. c. 112-114.

shown by the Church to criminal clergymen²¹ evidently introduced the greatest disorders, the secular power endeavored from time to time to reclaim its jurisdiction over the crimes of the clergy,²² and thereby effected at least an increase of severity in the ecclesiastical tribunals.²³

²¹ Celestine III., in the year 1192, thus declares the fundamental principles of the Church with regard to the punishment of the crimes of the clergy (*Deer. Greg. lib. ii. tit. 1. c. 10*): *Si clericus—in furto, vel homicidio, vel perjurio, seu alio mortali crimine fuerit deprehensus legitime, atque convictus, ab ecclesiastico judice deponendus est. Qui, si depositus incorrigibilis fuerit, excommunicari debet, deinde, contumacia crescente, anathematis mucrone feriri. Postmodum vero, si in profundum malorum veniens contemptus; cum Ecclesia non habeat ultra, quid faciat, et ne possit esse ultra perditio plurimorum, per saccularem comprimentus est potestatem, ita quod ei deputetur exsilium, vel alia legitima poena inferatur.* The secular judge was only allowed (*Conc. Ilerdense ann. 1129*, in *Thomassin. P. ii. lib. iii. c. 113, § 5*) to arrest such clergy, flagrante maleficio in furto, rapina, homicidio, vel raptu mulierum, vel eudendo falsam monetam, but, non ut vindictam in ipsum exerceat, sed ut eundem reddat ecclesiastico judicii. Richard Coeur de Lion ordained just this in Normandy (*Matth. Paris ad ann. 1190, p. 161*). On the other hand, Nicolas III. granted this same right as a privilege to Philip, king of France (*Rayn. ann. 1278, § 37*).

²² Thus Henry II. intended (in the year 1164) to put an end to the crimes of the clergy in England by the constitutions of Clarendon, cap. 3. See about this and the result, § 52, note 25 ss. Philip Augustus proceeded more cautiously in France with his Barons in the *Capitula de interceptionibus clericorum adversus jurisdictionem domini Regis ann. 1219* (*Ordonnances des Roys de France de la troisième race, recueillies par M. de Laurière, i. 40, et Nouvel examen de l'usage général des fiefs en France par M. Brussel. Paris, 1750. 4. t. ii. Appendix, p. xxvii.*): *Secundum capitulum, quod quando clericus capit pro aliquo forisfacto, unde aliquis dicitur vitam vel membrum perdere, et traditur Clero ad degradandum, clerici volunt degradatum omnino liberare. Ad quod respondemus: quod clerici non debent eum degradatum reddere curiae, sed non debent eum liberare, nec ponere in tali loco, ubi capi non possit: sed Justitiarii possunt illum capere extra ecclesiam vel cimiterium, et facere justitiam de eo, nec inde possunt trahi in causam.—Si clericus deprehensus fuerit in raptu, tradetur Ecclesiae ad degradandum; et post degradationem cum capere poterit Rex vel Justitiarius extra ecclesiam vel atrium, et facere justitiam de eo; nec poterit inde causari.* In the same manner, he had already decreed, in the year 1214, with reference to crusaders (*Ordonnances, l. c. p. 31*): *6. Si Ballivi domini Regis aliquem crucesignatum deprehenderint ad praesens forefactum, pro quo debeat membris militari, vel vitam amittere secundum consuetudinem curiae saecularis, Ecclesia non defendet eum, vel res ejus. In aliis autem levioribus et minoribus forefactis—Ballivus—reddat absolute ipsum et res suas Ecclesiae requirenti pro jure faciendo.* In Venice (see *Gregorii IX. ep. ad duecm et commune Venet. ann. 1234*, in *Hofler's Friedrich II. s. 341*) the Doge availed himself of a grant of the Patriarch of Grado, *ut clerici de Venetiis sibi subjecti coram Duce de maleficiis et excessibus responderent, and had outlawed those who refused to appear before him to answer for such charges: ut, si quis eos offendenter in rebus vel personis, remaneret impunis.* Several ecclesiastics were put to death, others imprisoned. The same happened in the Lombard cities, Raumer's *Hohenstaufen*, V. 113. Compare, in fine, the legislation of Frederick II. in Sicily in the year 1231, above, § 55, note 15.

²³ Innocent III. *Deer. Greg. lib. ii. tit. 1, c. 17*: *Praecipiatis ex parte nostra Praelatis, ut laicis de clericis conquerentibus plenam faciant justitiam exhiberi,—ne pro defectu justitiae clerici trahantur a laicis ad judicium saeculare, quod omnino fieri prohibemus.* Idem *Deer. Greg. lib. v. tit. 39, c. 35*: *cum Praelati excessus corrigere debeat subditos*.

On the other side, the prelates carried onward their invasion upon the rights of the State, but still in a manner which was often productive of good in that age; when at one time they encountered civic misrule and injustice with spiritual weapons,²⁴ at another, drew into their own hands the principal share in the administration of civic justice, by constantly increasing the number

rum, et publicae utilitatis intersit, ne crimina remaneant impunita, et per impunitatis audaciam fiant, qui nequam fuerant, nequiores: non solum possunt, sed debent etiam superiores clericos, postquam fuerint de criminis canonice condemnati, sub arcta custodia detinere. He wrote also to the Bishop of Paris (Decr. Greg. lib. v. tit. 40, c. 27, § 1): Pro illo falsario clericico scelerato—hoc tibi duximus consulendum, ut in perpetuum carcerem ad agendum poenitentiam ipsum includas, pane doloris, et aqua angustiae sustentandum, ut commissa defleat, et flenda ulterius non committat. The Conc. Lambethense ann. 1261, threatens on this account sentence of excommunication and interdict against the Detentoribus clericorum (Mansi xxiii. 1065); then, however, it decrees (p. 1072): quod quilibet Episcopus in suo Episcopatu habeat unum vel duos carceres—pro clericis flagitiosis deprehensis in criminis, vel convictis, juxta censuram canonicaem detinendis. Item statuimus, quod si clericus aliquis adeo malitiosus et incorrigibilis fuerit,—quod, si esset laicus, secundum leges saeculi ultimum deberet pati supplicium, talis clericus carceri perpetuo addicatur.

²⁴ In the first place, by ecclesiastical legislation. Thus there were ecclesiastical laws, with threats of the highest spiritual penalties, to uphold the observance of the Treuga Dei (see above, Part 1, § 36, note 4. , Conc. Claromont. ann. 1095, c. 1. Conc. Lateran. ann. 1102. Conc. Lateran. I. gen. ann. 1123, c. 13. Conc. Lateran. II. gen. ann. 1139, c. 12. Conc. Lat. III. ann. 1179, c. 21, and so forth), against piracy (Conc. Lat. III. c. 24), against the appropriation of stranded goods (*ibid.* and even earlier Conc. Nannetense, ann. 1127), against sacrilege and incendiarism (Decr. Greg. lib. v. tit. xvii. De raptoribus, incendiariis et violatoribus ecclesiarum. Conc. Heripol. ann. 1287, c. 30: De spoliatoribus stratarum), against usury (Decr. Greg. lib. v. tit. 19. De usuris, however, this was afterward encouraged even by the Pope, see above, § 55, note 12), against false coinage (Conc. Lat. I. gen. c. 15), against tournaments (Conc. Lat. II. gen. c. 14. Conc. Lat. III. c. 20, detestabiles illas nundinas vel ferias, quas vulgo torneamenta vocant, cf. Decr. Greg. lib. v. tit. 13. De torneamentis), against trial by ordeal, which formerly was allowed (Decr. Greg. lib. v. tit. 35. De purgatione vulgari. See above, Part 1, § 36). But there were also prohibitions of new imposts (first, indeed, Alexander III. decreed in Conc. Lat. iii. gen. c. 22: Nec quisquam alicui novas pedagiorum exactiones sine auctoritate Regum et Principum consensu statuere,—aut veteres augmentare aliquo modo temere praesumat; however, afterward the conditions were left out in the prohibition, Conc. Monspelliense ann. 1214, c. 43. Conc. Tolos. ann. 1229, c. 21. Conc. Biterrense ann. 1246, c. 29; and the Conc. Heripol. ann. 1287, c. 40, even ordains: Cum imponentes et exigentes nova passagia, vel antiqua seu concessa augmentantes singulis annis summus Pontifex in Coena Domini anathematis vinculo denunciet subiacere: statuimus, ut ordinarii locorum—singulis annis in Coena Domini solemniter coram populo eosdem, sive sint Archiepiscopi, etc., aut laici, seu saeculares personae, *quocumque nomine censeantur*, pulsatim campanis et candelis accensis, excommunicatos denuncient, usque ad integrum restitutionem tanquam excommunicatos ab omnibus evitandos. Compare the encroachments of Boniface VIII. on Philip the Fair, above, § 59, note 21). And there was interference even in the conducting of war (Conc. Lateran. II. gen. c. 29, in Deqr. Greg. lib. v. tit. 15, c. unic.: Artem autem illam mortiferam et Deo odibilem ballistariorum et sagittariorum adversus Christianos et Catholicos exerceri de caetero sub anathemate prohibemus).—These rules of discipline were to be administered by the Synodal tribunals. See above, Part 1, § 35, note 1, compare Montag's *Gesch. der deutschen Staatsburgerl. Freiheit*, ii. 412.

of causes exclusively reserved for ecclesiastical judges,²⁵ and recourse to them was open under all circumstances.²⁶ Yet in the 12th century, even within the pale of the Church, Bernard's voice of warning was raised against this immoderate extension of Episcopal jurisdiction;²⁷ afterward, however, it was attacked only by the secular power from time to time, and stoutly defended by the Church.²⁸

²⁵ Innocent. III., lib. xii. ep. 154, ad Comitem Tolosanum (Decr. Greg. lib. v. tit. 40, c. 26) : super universis capitulis, quae pro pace servanda sunt,—item *viduis, pupillis, orphannis et personis miserabilibus* teneris in judicio ecclesiastico respondere (see vol. I, part 2, § 115).—Besides, all civil and criminal cases against persons who had taken the cross belonged exclusively to the ecclesiastical tribunal, and all cases of marriage, wills and covenants, and accusations of usury. Comp. Thomassin. p. ii. lib. 3, c. 110. Planck, IV. ii. 249, de Pouilli sur la naissance et les progrès de la jurisdiction temporelle des églises in the Mémoires de l'Acad. des Inscr. xxxix. 603. Schilling de origine jurisdict. eccl. in causis civilibus. Lips. 1825. 4. p. 53 ss. At last Lucius III. decreed, ann. 1181 (Decr. Greg. lib. ii. tit. ii. c. 8), personis ecclesiasticis—malefactores suos—sub quo maluerint judice convenire. For this reason ecclesiastics bought up cases, in order to bring them before ecclesiastical tribunals : this was forbidden by Gregory IX. (Decr. Greg. lib. i. tit. 42, c. 2), and Conc. ad Castrum Guntherii, ann. 1231, c. 19.

²⁶ The Church claimed the superintendence of all justice : Thus Conc. Lateran. II. gen. ann. 1139, c. 20 (Caus. xxiii. qu. 8, c. 32), adds to the decree about the ecclesiastical punishment of incendiaries : Sane Regibus et Principibus facienda justitiae facultatem *consultis Episcopis et Archiepiscopis non negamus* :—Thence the appeals in defectu justitiae saecularis, even in matters of feudal tenure (Alexander III. ad Archiep. Senonensem, in Decr. Greg. lib. ii. tit. 2, c. 6 : per dominum feudi causam jubeas terminari, et si ipse malitiose distulerit, tu ei debitum finem imponas ; cf. c. 10 and 11). Innocent III. advanced furthest in the Decretale *ad Praelatos Franciae*, by which the Denunciatio Evangelica was established, see above, § 54, note 6. The Gloss to this even says : executionem gladii temporalis Imperatoribus et Regibus commisit Ecclesia, et tamen jurisdictionem causarum civilium aliquando per Sacerdotes exercuit. Compare Bonifacii VIII., epist. above, § 59, note 7, and the speech of Cardinal Portuensis, § 59, note 25. Cf. Schilling de orig. jurisdict. eccl. in causis civil. p. 66.

²⁷ Bernard. de considerat. lib. i. c. 3. Quaeso te, quale est istud, de mane usque ad vesperam litigare, aut litigantes audire ? Et utinam sufficeret diei malitia sua, non sunt liberae noctes, etc., c. 6 : Putasne haec tempora sustinere, si hominibus litigantibus pro terrena haereditate, et flagitantibus abs te judicium, voce Domini tui responderes : *O homines, quis me constituit judicem super vos ?* (Luc. xii. 14). In quale tu judicium mox venires ? “Quid dicit homo rusticus et imperitus, ignorans primatum suum, inhonorans summam et praecelsam sedem, derogans apostolicæ dignitati ?” Et tamen non monstrabunt, puto, qui hoc dicent, ubi aliquando quispiam Apostolorum judex sederit hominum, aut divisor terminorum, aut distributor terrarum. — Mihi tamen non videtur bonus aestimator rerum, qui indignum putat Apostolis seu apostolicis viris non judicare de talibus, quibus datum est judicium in majora. — Quenam tibi major videtur et dignitas et potestas, dimittendi peccata, an praedia dividendi ? Sed non est comparatio. Habent haec infima et terrena judices suos, Reges et Principes terrae. Quid fines alios invaditis ? Quid falcem vestram in alienam messem extenditis ? etc.

²⁸ Only Alfonso X. yielded every thing by the definite statement in the *Partidas*, that all lawsuits, which rose from sins, belonged to the ecclesiastical tribunal : still the Cortes often protested : see § 62, note 22, and the treatise by Rosseeuw St. Hilaire, p. 847, quoted there. Every where there rose a feeling of hostility between the secular and ecclesiastical tribunals : thence the charge : saeculares judices in exhibenda justitia personis

§ 64.

INTERNAL RELATIONS OF THE DIOCESAN HIERARCHY.

Just as on one side the Episcopal rights were curtailed by the Popes, so on the other side the Cathedral chapters also, especially after they had attained the exclusive privilege of Episcopal election,¹ extended their independence and authority at the cost of the

ecclesiasticis saepe in judicio sunt remissi (Lucius III. ann. 1181, in Decr. Greg. lib. ii. tit. 2, c. 8). The accusation was retorted on the secular side, especially in France : Capitula de interceptionibus Clericorum adv. jurisdictionem domini Regis, ann. 1219, above, note 22. There were new complaints of the barons at the Assembly of the States at Melun in the year 1225. Compare, Preuves des libertés de l'église Gallic. ch. vii. no. 5. Under St. Lewis, a combination of the barons was formed against the usurpations of the Church (Math. Paris, ann. 1246, p. 719), where among other things it was also settled (p. 720), *ut nullus clericus vel laicus alium de caetero trahat in causam coram ordinario judice vel delegato, nisi super haeresi, matrimonio, vel usuris : amissione omnium bonorum suorum et unius membra mutilatione transgressoribus imminentे ; — ut sic jurisdictione nostra resuscitata respiret, et ipsi hactenus ex nostra depauperatione ditati — reducantur ad statum Ecclesiae primitivae, et in contemplatione viventes nobis, sicut decet, activam vitam ducentibus ostendant miracula, quae dudum a saeculo recesserunt.* Compare, on the other hand, the letters of condemnation by Innocent IV. to the French clergy, to his Legate the Episc. Tusculanus (both are in Raynald. 1247, no. 49, ss. : the last is given more fully in Duchesne hist. Franc. scriptt. v. 714, but by mistake as an epist. Innoc. III.) and ad Episc. Aurelianensem (in Bulaei hist. Univ. Paris, iii. 210).—Thence the decrees of councils against those who, *ut nullus conqueratur coram ecclesiastico judice, prohibent.* Conc. Heribopol. 1287, c. 36. Statuta synodal. Joannis ep. Leodiensis, ann. 1287, tit. xvii. c. 9 (Mansi xxiv. 922). Conc. Compendiense, 1301, c. 4, 5. Guil. Durantis de modo celebrandi concil. gener. P. ii. rubr. 70. In Germany Imperial admonitions were given that ecclesiastical and secular tribunals should not overstep their boundaries, see Sammlung der Reichsabschiede, i. 17 (ann. 1232), s. 36 (Rudolph v. Habsburg, 1282 und 1291), s. 38 (Adolph v. Nassau, 1293, und Albrecht I. 1303). In consequence there was from time to time a withdrawal of ecclesiastical usurpations, Conc. Mogunt. 1261, can. 18 (in Hartzheim Conc. germ. iii. 600) : *Ne Praelati vel quilibet judices ecclesiastici de causis, quas laici habent ad invicem, se ullatenus intromittant, nisi tales sint causae, quas ad forum ecclesiasticum non sit dubium pertinere : ne ex hoc saccularē judicium, quod est valde incongruum, enervetur.* Conc. Colon. 1266, c. 17 (l. c. p. 623). Conc. Mogunt. 1310. Tit. de foro competente (ibid. iv. 184).

¹ The share of the laity in the election of bishops was naturally much lessened by the principles vindicated in the contest about investiture. On the other hand, Innocent II. decreed, Conc. Later. ann. 1139, c. 28 : *sub anathemate interdicimus, ne canonici de sede episcopali ab electione Episcoporum excludant religiosos viros : sed eorum consilio honesta et idonea persona in Episcopum eligatur.* Accordingly, Gerohus Praep. Reicher-sperg. lib. v. (Baluz. miscell. v. 88), thus determines the manner of election : *Spiritales et religiosi viri habent consulere, Canonici eligere, populus petere, honorati (for instance, the Provost and noble officers) assentire, yet already with the condition that if the last, noluerint praebere assensum, non propter hoc irrita erit electio, si alias est canonica ; compare Hurter's Innocenz III. iii. 224.* Still Bernard, bishop of Paderborn, styles himself, in 1189, as, *ex cleri et populi electione ad apicem cathedrae Paderbrunnensis sublevatus,* Riefert's Münsterische Urkundensammlung, ii. 260. After that the election of the Pope had passed exclusively into the hands of the Cardinals (see above, § 52, note 30), the

bishops.² On the other hand, the archdeacons of the 13th century, by their arrogant encroachments,³ caused more and more of their authority to be withdrawn from them,⁴ and bestowed on the

Cathedral chapters imitated them, and Innocent III. decreed absolutely, Conc. Later. IV. ann. 1215, c. 24 (Decr. Greg. I. vi. 42), as also the oath already required in 1209, from Otto IV. (see above, § 54, note 17), ut is collatione adhibita eligatur, in quem omnes, vel major, vel senior pars capitulo consentit; and Gregory IX. (Decr. Greg. I. c. c. 56) : Edictio perpetuo prohibemus, ne per laicos cum canoniciis Pontificis electio praesumatur. Quae si forte praesumpta fuerit, nullam obtineat firmitatem : non obstante contraria consuetudine, quae dici debet potius corruptela. Cf. Thomassinus P. ii. lib. ii. c. 33 : Disqu. de Capitulorum metropolitanorum et cathedralium Germaniae origine, progressu et juribus, etc. auct. M. C. Jcto. Amstelod. 1758. 4. § 32 ss. Planck, IV. ii. 588 ff. Raumer, vi. 21.

² Especially by means of articles which they made the newly-elected bishop promise upon oath, so that Innocent III., 1204, declared all such juramenta in damnum episcopalis juris to be not binding (Decretal. Gregor. II. xxiv. 27) : Likewise Nicolas III., 1278 (Sexti II. xi. 1) P. Gallade diss. de capitulatione Episcopo Germaniae electo proposita in A. Schmidt thesaurus juris eccles. ii. 767. Right of punishment over their own members was allowed to the chapters (Decret. Greg. I. xxxi. 13) ; they often, however, ventured on great invasions of the episcopal power, even on passing measures against the bishops. Accordingly, the bishops of the ecclesiastical province of Rheims at Compiegne, in the year 1277, united in a common resistance (Mansi xxiv. 183), attendentes quod capitula et canonici cathedralium Ecclesiarum nostrarum Remensis provincia in nos—exercuerunt, spirituallia jura sibi damnabiliter usurpando, interdum auctoritate propria, interdum etiam per exquisitas lites, quas contra nos aggredi non verentur, nonnumquam etiam per subtractionem divini officii, contra nos pro sua libertatis arbitrio sua organa suspendendo. Other examples may be seen in J. H. Boehmeri jus eccl. Protestantium T. ii. lib. iii. tit. 9, § 8 ss. Thomasinus P. i. lib. 3, c. 41.—The chapters now became places reserved for the younger sons of the nobility. The Chapter of Strasburg in 1232 appealed, against Gregory IX. (Decr. Greg. lib. iii. tit. 5, c. 37), to the, consuetudinem antiquam, inviolabiliter observatam, juxta quam nullum, nisi nobilem et liberum, et ab utroque parente illustrem—in suum consortium hactenus admiserant ; the Pope, however, disclaimed this usage, quod non generis, sed virtutum nobilitas vitaeque honestas gratum Deo faciunt, etc. When Nicolas IV. had appointed the famous Peter Aichpalter (physician to the Emperor Rudolph, afterward Archbishop of Mayence) to be provost of the chapter at Treves in the year 1289, many members of the Cathedral body opposed this and another appointment (Gesta Trevirorum edd. Wytenbach et Müller, ii. 138) : asserebant enim, se juramento adstrictos esse, et super hoc publicum confirmationis instrumentum sedis apostolicae impetrasse, quod personas, quantumcunque literatas,—nisi de clara stirpe genitas, admittere—non debeant in canonicos et fratres. After a hard struggle, however, they were obliged to yield. Seufert's Geschichte des deutschen Adels in den hohen Erz- und Domcapiteln, 1790. Hurter's Innocenz III. iii. 348.—Comp. especially Planck, IV. ii. 565. Raumer, vi. 29.

³ Concerning their rights and duties, see Decr. Greg. lib. i. tit. 23 : De officio Archidiaconi. So cap. 1: Ut Archidiaconus post Episcopum sciat, se vicarium esse ejus in omnibus. Nevertheless, the jurisdiction delegata gradually changed into an ordinaria ; and the archdeacons abused their power to oppress the inferior clergy and defy their bishops. Thomassin. P. i. lib. ii. c. 20. J. G. Pertschen's Abhandl. v. d. Archidiacon, bischof. Officialen und Vicarien. Hildesheim, 1743. Planck, IV. ii. 598. Hurter's Innoc. III. iii. 364.

⁴ By the Provincial Synods of the 13th century, e. g. Conc. apud Vallem Guidonis ann. 1242, cap. 4 : Sane quia nonnulli, quos ecclesiasticus ordo ad relevamen et subsidium Episcoporum elegit, et ss. Patrum canones decreverunt, ut quod per seipso non possent, facilius cognoscentes per alios explicarent, falcam suam in messem alienam mittentes, ad illicita manus suas et prohibita mittere non verentur : statuimus, ut Archidiaconi et alii

newly-instituted episcopal officials⁵ and penitentiaries.⁶ When, from the 13th century onward, the titular bishops⁷ also came into

de causis matrimonialibus, simoniae, vel aliis, quae degradationem vel anissionem beneficii, vel depositionem exigant, nisi de speciali mandato sui pontificis, nullatenus cognoscere vel diffinire praesumant, nec Officiales habere, excepto civitatis Archidiacono qui alias officiales habere consuevit. Comp. Pertsch, s. 81, 190, 197.

⁵ Single examples of this office occur in the 12th century (Thomassin. P. i. lib. ii. c. 8, § 3. Pertsch, s. 271): in the thirteenth they become more common (Conc. Paris. ann. 1212, P. iii. c. 11, and Conc. Rotomag. ann. 1214, P. iii. c. 11: [Episcopi] Officiales fideles habeant et prudentes sine personarum acceptione gratis justitiam exhibentes). In the Decret. Greg. the officials were not even mentioned in lib. i. tit. 28, *De officio vicarii*. On the other hand, in the lib. Sextus Decretalium, lib. i. tit. 13, the chap. *De officio vicarii* refers only to them. There are several names for them: *Officiarius* (Conc. Cicestrens. ann. 1289, c. 10), *Vicarius in spiritualibus et temporalibus* (Conc. ap. Nobiliacum, ann. 1290), *Tenens vices Episcopi* (Conc. Pergam. ann. 1311, rubr. 22), *Vicarius in spiritualibus* (l. c. rubr. 23), *Vicarius seu officialis* (l. c. rubr. 24).—The first trace of distinction between the *Vicarius in spiritualibus* and the *Officialis* seems to be found in the Conc. Colon. ann. 1280, see Pertsch, s. 273. Comp. Joh. Wolf's hist. Abhandl. v. d. geistl. Commissarien im Erzstift Mainz. Göttingen, 1797. 8.

⁶ Innocent III. gave rise to them by the decree, Conc. Later. ann. 1215, cap. 10 (Deer. Greg. lib. i. tit. 31, c. 15): Praecipimus, tam in cathedralibus quam in aliis conventionalibus ecclesiis viros idoneos ordinari, quos Episcopi possint coadjutores et cooperatores habere, non solum in praedicationis officio, verum etiam in audiendis confessionibus, et poenitentiis injungendis, ac caeteris, quae ad salutem pertinent animarum. Si quis autem hoc adimplere neglexerit, districtae subjaceat ultioni. Cf. Thomassin. P. I. lib. ii. c. 10, § 5 ss. To these penitentiaries now fell also the casus Episcopo reservati: about these consult Thomassin. P. I. lib. ii. c. 14.

⁷ *Episcopi in partibus infidelium*, or *Episcopi titulares*, had already been virtually established in Spain, ever since the invasion of the Saracens (Thomassin. P. i. lib. i. c. 27, § 8 ss.), and in the Byzantine empire (l. c. c. 28, § 4 ss.). In the 13th century some wealthy bishops of the West began to employ their colleagues, who were driven about that time from the East, as Vicarii in pontificalibus or Suffraganei. The first recognized suffragan bishops are Henricus Ostiensis Episc. in Trèves, in the year 1241 (Hontheim. hist. Trevir. i. 640); in Mayence, 1248, Theodericus Ep. Vironensis (Johannis rerum Mogunt. ii. 421, and the continuation to Bodmann's Rheingauische Alterthümer. Mainz, 1819. 4. s. 832); soon after suffragans are found at Cologne (J. II. Heister Suffraganei Colonienses. Colon. 1614. p. 65): about 1255, Thomas Cantipratensis is suffragan bishop in Cambray. After the complete conquest of Palestine by the Saracens, the banished bishops wandered about the West in great numbers, and offered their services every where, especially to the abbeys exempt from episcopal jurisdiction, and this led the way to great abuses. Clement V. declared at the Conc. Viennense, ann. 1311 (Clementin. lib. i. tit. iii. c. 5): In plerisque Ecclesiis—clero carentibus et populo christiano multos frequenter, et religiosos prae-assertim, improvida superiorum provisio ad pontificatus adsumit honorem, qui nec, ut expediret, prodesse, nec præcesse, ut decrebet, valentes, instabilitate vagationis et mendicitatis opprobrio serenitatem pontificalis obnubilant dignitatis. Accordingly, he decreed, ut nullus de caetero, quantacumque dignitate praepollens, nisi speciali super hoc auctoritatи sedis apostolicae fulciatur, de pastore provideat cathedrali ecclesiae, sibi qualitercumque subjectae, quae clero careat et subditis Christianis: nullusque religiosus a suo umquam, quod provisioni tali consentiat, licentietur Praelato. Cf. Conc. Ravennate II. ann. 1311, rubr. 24. *De excessibus Praelatorum*:—Valde indignum est, juri Ecclesiae et honestati contrarium, quod admittantur et recipiantur ad episcopalia exercenda ignoti et vagabundi Episcopi, et maxime lingua et ritu dissoni: ex quorum ordinatione, sicut experientia docuit, proveniunt duo mala, quia promoventur incogniti, inhabiles et indigni, et etiam de ipsis rita ordinatione dubitatur, etc. Conc. Ravenn. iii. ann. 1314, rubr. 4: Item ex-

vogue, the wealthier bishops found so many substitutes, that they had no further occasion to trouble themselves about the exercise of their office. In imitation of their example, the Cathedral canons also transferred their ecclesiastical duties to vicars, and became idle gluttons.⁸

§ 65.

MORALITY OF THE CLERGY.

The ecclesiastical laws which aimed at the outward morality of the clergy were indeed significantly increased in severity, and often enough renewed in this period. They did not, however, produce their intended effect, from the want of an inward moral culture. An effort was made at the end of the eleventh century to restore in the religious foundations the canonical mode of life,¹

hortamur,—ac attentius requirimus omnes et singulos exemptos, ut nullos Episcopos peregrinos vel ignotos, et populum subditum citra mare non habentes, invitent, seu admissant ad ordinationes tenendas, seu alia pontificalia exercenda in ipsorum Ecclesias, monasteriis vel locis. In the 14th century they began to find employment more generally with the bishops as Vicarii in Pontificalibus, particularly in Germany, Spain, and Portugal. In France, on the other hand, suffragan bishops never became customary. Cf. Thomassin. P. i. lib. i. c. 27 ss. F. A. Dürr diss. de Suffraganeis s. Vicariis generalibus in pontificalibus Episcoporum Germaniae. Mogunt. 1782. 4. Planck, IV. ii. 604.

⁸ There was a brief of Clement IV. in 1266, in which the canons of Merseburg were forbidden this abuse, see Fraustadt's *Einführung der Reform. im Hochstift Merseburg.* Leipzig, 1843, s. 10.

¹ Cf. Thomassinus, P. i. lib. iii. c. 11 and c. 21. According to Chrodegang's rule, the canons possessed the ecclesiastical revenues in common; however, each one remained in sole possession of his own private means. The Cathedral of S. Rufus in Avignon, founded in the year 1039, is reputed the first to have regular canons, who lived in complete community of goods (*Pagi crit. ad h. a. no. 8 and 10*): Yet this regulation was not strictly enforced until Nicolas II. and Alexander II. sought to re-establish the *vita canonica* universally (see Part i. § 26, note 3), and at the same time Petrus Damiani asserted the authority of St. Augustine's precept. Petrus D. stated (lib. i. ep. 6, ad Alexandrum P.), with reference to the *sermones ii. de moribus clericorum* by this father, *quia clericus, qui pecuniam possidet, ipse Christi possessio vel haereditas esse, vel Deum haereditate possidere non potest.* *Quod tamen non de Clericis omnibus dicimus, sed de his specialiter, qui canonico censentur nomine, et vivunt in congregacione.* At the same time, he censured the regula Aquisgranensis (Part 1, § 8, note 6), which still allowed canons to retain their private possessions, and the canons who availed themselves of it. Thus a regula S. Augustini began to be spoken of, till at length one was actually composed from those sermons (see in *Luc. Holstenii codex regularum monasticarum et canonicarum ed. Marian. Brockie*, ii. 120). Bernoldus ad ann. 1091 (in *Pertz*, vii. 452) is the first to mention three coenobia clericorum *juxta regulam s. Augustini communiter viventium*, founded by Altmann, bishop of Passau, and ad ann. 1095 (p. 463), another, established by Lutolphus, bishop of Toul, the foundation-deed of this, dated vi. Idus Oct. 1091, is in *Gallia christ. xiii. app. p. 472*. There is a severer censure of the reg. Aquisgr. in *Gerholus de corrupto Ecclesiae statu*, lib. v. in *Baluz. miscell. v. 180*. E. g. p. 198: *illa—aulica*

even in conformity with one of the stricter rules (the so-called *regula S. Augustini*) ; but the new regulations were soon relaxed.² The celibacy of the clergy, which was now constituted as an ecclesiastical ordinance of more general application than before,³ could not be fully established in several countries until the thirteenth century.⁴ But it introduced in its train a greater increase

regula, de aula Regis egressa, multa in suo contextu habet sana Patrum documenta;— sed illis praemissis adulterina quaedam sunt admixta, quibus priorum puritas ita est infecta et turbata per nescio quos aulicos dictatores, veris falsa, bonis mala permiscentes, etc., p. 199: contra quam [regulam] nunc tantopere disputare illud cogit, quod etiam quidam canonici vitam communem secundum regulam b. Augustini professi—candem sic acceptant, ut in conventibus suis eam recitari faciant quasi authenticam et nullius erroris permixtione infectam, etc.—Quae namque ratio est, ut majores et plures clericorum congregations regulam profiteantur aulicam nulla sedis apostolicae auctoritate canonizatam, etc.? The canons who lived after the rule of St. Augustine now styled themselves canonici regulares, the others can. seculares. Compare on both Jacobi a Vitriaco hist. occidental, c. 21 and c. 30.

² Probst turnarii *Ecclesiarum Germ. historia in Ad concordata nationis Germ. integra documentorum fasc. iv.* (Francof. et Lips. 1777. 8), p. 245 ss. Planck, IV. ii. 570. As a relic of this, a custom prevailed in several places that the members of the chapter, on high feast days, or during Lent, should take their meals together. Hurter's *Innoc.* III. iii. 352.

³ For instance, *1. ordines maiores* became an *impedimentum matrimonii dirimens*. First Conc. Lateran. I. ann. 1123, can. 21: Presbyteris, diaconibus, subdiaconibus concubinas habere, seu matrimonia contrahere penitus interdicimus: contracta quoque matrimonia ab hujusmodi personis *disjungi*—*judicamus*. Conc. Lateran. II. ann. 1139, can. 7: Hujusmodi namque copulationem, quam contra ecclesiasticam rationem constat esse contractam, *matrimonium non esse censemus*. Cf. Greg. *Decretall.* lib. iv. tit. 6. Qui clerici vel voventes matrimonium contrahere possunt. Thomassin. P. i. lib. ii. c. 66, § 4.—2. After that a vain attempt had been made, in the eleventh century, absolutely to forbid marriage in the case of the clerici minorum ordinum also (Thomassin. l. c. § 1 ss.), Alexander III first decreed in respect to them, Decr. Greg. lib. iii. tit. iii.; de clericis conjugatis, c. 1. Si qui clericorum infra subdiaconatum acceperint uxores, ipsos ad relinquenda beneficia ecclesiastica et retinendas uxores districtione ecclesiastica compellatis. Compare the whole *Titulus*. Thomas Aquin. below, note 7. Thomassin. l. c. c. 66.

* 1. In Spain, cf. Paschalis II. epist. ad Didacum Epist. Compostell. ann. 1103 (*Mansi xx. 1001*): *Si qui [presbyteri et diaconi] sane ante romanae legis susceptionem* (see § 62, not. 1) *secundum communem patriae consuetudinem conjugia contraxerunt, natos ex eis filios neque a saeculari, neque a dignitate ecclesiastica repellimus.*—2. In England the marriage of priests, tolerated by Lanfranc (see above, § 47, note 45), was strongly attacked by Anselm (archbishop of Canterbury, 1093—1109), especially in the Concill. Londinn. ann. 1102 and 1108, but was not yet eradicated. In the year 1125 the Papal Cardinal Legate Johannes Cremensis (concerning him, compare above, § 62, note 16) held another Synod in London on the subject. But about him Henricus Huntingdonensis (about 1150) *histor. lib. vii.*: *Cum in concilio severissime de uxoribus sacerdotum tractasset, dicens sumnum scelus esse a latere meretricis ad corpus Christi confidendum surgere: cum eadem die corpus Christi confecisset, cum meretrice post vesperam interceptus est. Res apertissima negari non potuit, celari non decuit. Summus honor ubique habitus in sumnum dedecus versus est. Repedavit igitur in sua Dei judicio confusus et inglorius.* These decrees were indeed established by law, to all appearance, in the Synods of London in the year 1127 and 1129: but Chron. Saxon. *vetus ad ann. 1129* (in Wilkins Cone. M. Brit. i. 411): *nec ullam vim habuerunt omnia illa decreta. cuncti retinuerunt suas uxores Regis venia, sicut antea fecerant.* For instance (Matth. Paris, ann. 1129), the bishops con-

of the most shameful licentiousness,⁵ from the readiness of the cesserunt Regi justitiam de focariis sacerdotum, quae res postea cum summo dedecore terminabatur: acceptit enim Rex pecuniam infinitam de Presbyteris pro suis focariis redimendis. Noteworthy is the condemnatory way in which the English historians, Henricus Huntingd., Mathew Paris, and Thomas of Walsingham (about 1440) speak of the celibacy of priests under Gregor. VII. and Anselm. Also in Normandy the marriage of priests was openly maintained in the beginning of the 12th century (*Acta SS. April. ii. 234*).—3. Celibacy was not established in the northern kingdoms till the thirteenth century. With reference to Sweden the words of Innocent. lib. xvi. ep. 118, ad Archiep. Lundensem are remarkable: postulasti per sedein apostolicam edoceri,—utrum sacerdotes Suethiae in publicis debeas tolerare conjugis, qui super hoc se asserunt eujusdam summi Pontificis privilegio communitos.—Non possumus dare responsum, nisi viderimus privilegium quod praetendunt. Cf. lib. x. ep. 147. In Denmark, where even the peasants of Schonen, in an insurrection in 1180, among other demands required the restoration of marriage of priests (according to Hamsfort in Langebeck *scr. rerum Danie. i. 280*: ne uti hactenus per libidinem filiabus et conjugibus abuterent illorum. Compare *Saxo*, lib. xv. 366. Münter's *Kirchengesch. v. Danemark u. Norwegen*, II. i. 345), not till the year 1222, after many efforts of a legate, was a decisive law issued by the synod at Schleswig in favor of celibacy of priests (Pontoppidan's *Annales Eccles. Dan. i. 637*. Münter, II. ii. 1033). The same law likewise was first established in Norway and Iceland in the course of the thirteenth century (Munter, II. ii. 1045): in Sweden by the Cardinal Legate, William, bishop of Sabina, in the Synod at Skenninge, 1248 (Münter, II. ii. 1051: the *Constitutiones Schenningenses*, which are missing in the collections of Councils, are to be found in Münter's *Magazin f. Kirchengesch. u. Kirchenrecht d. Nordens*, i. 192, printed according to the original in J. G. Liljengren's *diplomatarium Suecanum*, Holm. 1829. 4. i. 330).—4. In Hungary, *Syn. Szabolchensis* (at Szaboles), ann. 1092, c. 3: Presbyteris autem, qui prima et legitima duxere conjugia, indulgentia ad tempus datur propter vinculum pacis et unitatem Spiritus Sancti, quousque nobis in hoc domini Apostolici paternitas consilietur. *Syn. Strigoniensis* (at Gran.), ann. 1114, can. 31: Presbyteris uxores, quas legitimis ordinibus acceperint, moderatius habendas, praevisa fragilitate, indulsimus (see this canon, which is left out in *Mansi xxi. 105*, in *Peterffy Conc. Hungar. i. 57*). It was first by means of the *Decreta Hungarorum*, quae de Guidone Cardinale suscepserunt, ann. 1267 (*Mansi xxiii. 1183*), that the Romish principles got the upper hand (Engel's *Gesch. v. Ungarn*, i. 388).—5. In Silesia, where Francis, bishop of Breslau (+1194), wrote a letter, unfortunately no longer extant, de clericorum et laicorum matrimonio (s. Hanke de Silesii indigenis eruditus, p. 14. See J. Ehrhard on the corrupt state of religion before the Reformation, Breslau, 1778. 4), in Bohemia, where even the Archbishop of Prague was accused by Innocent III., quod uxorem evidenter haberet, de qua filios generavit (*Innoc. lib. v. epist. 28*. J. Dobrowsky narratio hist. de sacerdotum in Bohemia celibatu, Prag. 1787, abridged in Illgen's *Zeitschr. f. d. hist. Theol. 1844. iv. 113*), and in Poland, the marriage of priests was first discontinued in the middle of the thirteenth century (see *Werbs in Staudlin's u. Tzschirner's Archiv. f. Kirchengeschichte*, III. iii. 719. Raumer, *Gesch. d. Hohenst. vi. 236*).—6. In Germany marriage of priests seems to have been retained longest at Liege, which is easily explained from its earlier history (see § 49, notes 9 and 12). Comp. *Antigraphum Petri*, written by a priest of Liege between the years 1153 and 1173 (MS. in Paris, see *Hist. lit. de la France*, xiv. 406): Ipsos (Presbyteros) qui se legitimas posse habere asserunt uxores, interroga, quare eis in extremis renuncient, quare quidam totiens mutent? Si enim legitimum est matrimonium, mutare non licet, vel renunciare eis non est necesse: si illicitum, fornicatio est. Still, about the year 1220, the cathedral clergy married not far from Liege, cum solemnitate, quae solet in matrimonio observari (Raumer, vi. 236, from the *Regest. Honorii III.*), and in Zurich, about the year 1230, married clergy were to be found (J. J. Hottinger's *Helvetische Kirchengeschichte*, ii. 30). J. Anton Theiner und Augustin Theiner, die *Einführung der erzwungenen Ehelosigkeit bei den christl. Geistlichen und ihre Folgen*. Altenburg, 1828, II. i. 269.

⁵ Comp. Schrockh, xxvii. 184. Especially the long list of decrees of Councils against

bishops to overlook it.⁶ Besides that unchastity, which already made many thoughtful minds mistrustful of celibacy,⁷ utter world-

the concubinae, focariae, and pedissequeae of the clergy, s. 206. Raumer, vi. 235. On the unnatural excesses of the clergy, see Hüllmann's *Stadtewesen des Mittelalters*, iv. 261.

⁶ Rupertus Tuitiensis comm. in Apocalypsin, c. 2, lib. ii. (Opp. ed. Mogunt. II. 490): *turba plebeja rectores Ecclesiae clamoribus suis coarguit atque objurgat eo quod talis pestilenta, tanta in sacros ordines macula ex ipsorum acciderit avaritia.* Often fines were imposed on priests who had wives or concubines. For which reason many bishops tolerated such cases willingly, as the Conc. Lateran. IV. ann. 1215, can. 14, and the Constitut. Edmundi Archiep. Cantuar. ann. 1236, accuse them of doing, maxime obtentu pecuniae vel alterius commodi temporalis. Moreover, the number of the guilty necessitated forbearance. Thus the verdict was given against the immoral clergy (Dist. lxxxi. c. 6), *ut a sacerdotali removeantur officio*, but the gloss to this says, *communiter autem dicitur, quod pro simplici fornicatione quis deponi non debet, cum pauci sine illo vitio inveniantur.*

⁷ So early as the year 1120, there was written, Rotomagensis Anonymi tract. an licet Sacerdotibus inire matrimonia, in Brown appendix ad fascie. rerum expet. et fugiend. p. 166 (comp. Theiner, II. i. 323), where it was first shown that, traditio hominis est, et non Dei, non Apostolorum institutio: Then, hoc mandatum naturalem ordinem conservari vetat, perturbari jubet, et ideo contra aeternam legem fit, et peccatum est: peccant enim, qui mandatum tale instituunt, quo naturalis ordo destruitur; to conclude, fit contra voluntatem et praedestinationem illius, qui quae futura sint fecit. From the same time, perhaps, may the so-called epist. secunda Volusiani Episc. Carthaginensis in John Fox's *Acts and Monuments of Martyrs*, Lond., 1684. ii. 393 (epist. i. is the epist. Udalrici ad Nicolaum, see Part 1, § 34, note 9), derive its origin; it is a defense of the married clergy, and written in their name. E. g. Inhibito naturalis unius mulieris conjugio surrepit non naturalis, sed contra naturam execrabilis sodomita fornicatio, surrepit illicita et damnabilis, non legitima sed contra legem alienae uxoris contaminatio, necon etiam et meretricabilis nefanda pollutio, quin etiam abominabilis omnibus parentalis incestatio vel aliarum immunditarum vel libidinum a Diabolo inventarum id genus, in quibus humana infirmitas pericitatur.—Quodsi mali sumus, nobis ipsis sumus, et plus nobis quam altis nocemus: et quos fortasse malos conspicitis, quid boni interius habeant ignoratis. Sunt enim plerique, quos de incontinentia judicatis, qui continentiores sunt, quam illi, quos de continentia glorificatis. Of Petrus Comestor, chancellor of the University of Paris, about the year 1170, his pupil Gyraldus Cambrensis records (ex Ms. in Cave scriptt. eccl. hist. lit. ii. 239): Hoc autem Magistrum Petrum Manducatorem in audience totius scholae suea, quae tot et tantis viris literatissimis referta fuit, dicentem audivi, quod nunquam hostis ille antiquus in aliquo articulo adeo Ecclesiam Dei circumvenit, sicut in voti illius (sc. continentiae sacerdotum) emissione.—Thomas Aquinas (in Summa, quae incipit *Commissationes Domini*, etc., cap. 165, in Flacii catal. test. verit. no. 262): Dicit Canon, quod, si clerici in minoribus ordinibus constituti se continere non possunt, et matrimonium contrahere voluerint, debet eis assignari sustentatio sua de beneficiis suis extra Ecclesiam, ita quod de caetero non ministrant in Ecclesia in ordine suo, sed censuram habeant, et libertate gaudeant clericorum. Contra hanc canonicae institutionem hodie obtinet consuetudo, quod statim ex quo acolytus contrahit matrimonium, omni ecclesiastico beneficio privatur (see above, note 3), cum canon, ut dictum est, praecipiat, de beneficio sustentari. Si autem acolytus in secreta confessione ad discretum Sacerdotem veniat, et se nullo modo continere posse dicat, non multum peccat Sacerdos, dando ei consilium, ut cum aliqua occulte matrimonium contrahat, et occulte sui Episcopi oculos fallat. Minus enim credimus esse peccatum, beneficium cum occulto coniugio retinere, quam fornicariam contra divinam prohibitionem habere. Si vero postea ad sacros ordines a suis Praelatis cogatur accedere, credimus minus esse peccatum uxore uti, quam cum alia fornicari, si ex toto noluerit continere. Gulielmus Durantis tract. de modo gener. conc. celebr. (see above, § 62, note 28). P. ii. rubr. 46: Cum paene in omnibus conciliis et a plerisque Romanis Pontificibus super cohibenda et punienda clericorum incontinentia, et eorum honest-

liness and love of pleasure,⁸ avarice and simony,⁹ were the principal faults for which the clergy at this time were commonly rebuked with solemn earnestness¹⁰ and upbraided with biting sat-

tate servanda multa hactenus emanaverint constituta, et nullatenus ipsorum reformari quiverit correctio morum: — videretur pensandum, an expediret et posset provideri, quod in ecclesia occidentali, quantum ad votum continentiae, servaretur consuetudo Ecclesiae orientalis, quantum ad promovendos, potissime cum tempore Apostolorum consuetudo Ecclesiae orientalis servaretur.

⁸ Schröckh, xxvii. 159. Raumer, vi. 233. Hurter's Innocenz III. iii. 423. On their frequent engagements in wars and battle, Schröckh, xxvii. 165.

⁹ Schrockh, xxvii. 175. Raumer, vi. 193.

¹⁰ Especially by Bernhardus Clarav. for example, epist. 152, ad Innoc. P. II. ann. 1135: *Insolentia clericorum, cuius mater est negligentia Episcoporum, ubique terrarum turbat et infestat Ecclesiam.* — *Alienis nimirum laboribus locupletantur clerci, comedunt fructum terrae absque pecunia: et prodit quasi ex adipe iniqitas eorum.* In Psalm, *Qui habitat, sermo 6, no. 7* (ed. Mabill. ii. 61): *Ipsa quoque ecclesiasticae dignitatis officia inturpem quaestum et tenebrarum negotium transiere: nec in his salus animarum, sed luxus quaeritur divitiarum.* Propter hoc tendentur, propter hoc frequentant ecclesias, Missas celebrant, Psalms decantant. *Pro episcopatibus et archidiaconatibus impudenter hodie decertatur, ut Ecclesiarum redditus in superfluitatis et vanitatis usus dissipentur.* Superest jam, ut reveleatur homo peccati, filius perditionis, etc. In convers. Pauli, sermo 1 (ii. 126): *Conjurasse videtur contra te [Deum] universitas populi christiani a minimo usque ad maximum: a planta pedis usque ad verticem non est sanitas ulla: egressa est iniqitas a senibus judicibus, vicariis tuis, qui videntur regere populum tuum.* Non est jam dicere: *ut populus, sic sacerdos;* quia nec sic populus, ut sacerdos. Heu, heu, domine Deus, quia ipsi sunt in persecuzione tua primi, qui videntur in Ecclesia tua primatum diligere, gerere principatum! In Cantica, sermo 33, no. 15 (iii. 61): *Ministri Christi sunt, et servient Antichristo.* Honorati incedunt de bonis Domini, qui Domino honorem non deferrunt. Inde is, quem quotidie vides, meretricius nitor, histrionicus habitus, regius apparatus: inde aurum in frenis, in scillis et calcaribus, et plus calcaria quam altaria fulgent. Inde splendidiae mensae et cibis et scyphis, inde comedationes et ebrietates, inde cithara et lyra et tibia, inde redundantia torcularia, et promptuaria plena eructantia ex hoc in illud. Inde dolia pigmentaria, inde reserta marsupia. Pro hujusmodi volunt esse et sunt Ecclesiarum praepositi, Decani, Archidiaconi, Episcopi, Archiepiscopi. Ibid. sermo 77 (p. 131): *Quem dabis mihi de numero praepositorum, qui non plus invigilet subditorum vacuandis marsupiis, quam vitiis extirpandis?* *Sermo de conversione ad cléricos*, especially c. 20 (iv. 112): *Curritur passim ad sacros Ordines, et reverenda ipsis quoque spiritibus angelicis ministeria homines apprehendunt sine reverentia, sine consideratione.* Neque enim signum regni occupare caelestis, aut illius timent imperii gestare coronam, in quibus avaritia regnat, ambitio imperat, dominatur superbia, sed et iniqitas, luxuria etiam principatur: in quibus et pessima forte appareat intra parietes abominatio, si juxta Ezechiel prophetiam (Ezech. viii. 8) parietem fodiamus, ut in domo Dei videamus horrendum. Siquidem post fornicationes, post adulteria, post incestus, nec ipsae quidem apud aliquos ignominiae passiones et turpitudinis opera desunt, etc.—Compare Bernard's contemporaries, Gerholus de corrupto Ecclesiae statu (in Baluzii miscellan. v. 1), Pocho mon. Prumiensis de statu domus Dei libb. v. (in Bibl. PP. max. xxi. 489), Anonymi sermo ad Clerum in Cone. Rheumensi (ann. 1148) congregatum (in Bernardi opp. v. 225), in which the severest passages of S. Bernard are quoted word for word; and St. Hildegard, abbess of Bingen (see Meiners de s. Hildegardis vita, scriptis et meritis in the Commentatt. Soc. Gotting. t. xii. class. hist. p. 79). The *Pfaffenleben*, a fragment from the 12th century, in Haupt's and Hoffmann's altdeutschen Blattern, I (Leipzig, 1836), 217. Besides, there is the Antigraphum Petri, written by a priest of Liege between the years 1153 and 1173 (see above, note 4, near the end), a forcible reply to a priest, Lambertus by name, who required

ire.¹¹ Since, by reason of the abolition of Provincial Synods, the ease of appeal to Rome, and the increased difficulty of making complaints against bishops, the Pseudo-Isidorian principles were evidently in part the cause of the increasing corruption, Innocent III. endeavored to introduce reforms, and, by the institution of an inquisitorial mode of procedure against clerks notorious for ill-living,¹² to put a stop to the evil; but such external meas-

Peter to cease from his impugnat sacerdotum, because the common people were led away by it to disobey their priests: sed insuper maledictionem Cham filii Noe, qui patris sui verenda nudavit, incurunt, dum spirituales patrēs suos in aliquibus actibus, licet illicitis, vestro exemplo et doctrina dijudicando iram Domini manifeste super se provocant. On the corruption of the Norwegian clergy, see the Anecdoton historiam Sverrei Regis Norvegiae illustrans, ed. E. Chr. Werlauff. Havn. 1815. 8. p. 11, written about the year 1197.—In the 13th century Jac. a Vitriaco hist. occident. cap. 5, de negligientia et peccatis Praelatorum:—dum nihil gratis accipiebant, nihil gratis conferebant;—non pastores, sed dissipatores, non Praelati, sed Pilati; nocte in lupanari, mane in altari; filiam Veneris nocte tangentes, filium virginis Mariae mane contrectantes, etc. Especially Alexandri P. IV. ep. ad Archiep. Saltzburgensem et Suffraganeos (in Mansi xxiii. 827) in the year 1258. After an exhortation to a zealous and careful exercise of the pastoral office, the Pope there complains: Sed ecce letalis incuriae sopor pastoralis vitae vigilantiam, quod gementes dicimus, oppressisse videtur in plurimis, prout testatur nimia de plerisque regionibus clamans christiani populi corruptela: quac cum deberet ex sacerdotalis antidoti curari mendelis, invalescit, proh dolor, ex malorum contagione, quod procedit a clero, ita ut alicubi verum sit, quod et propheta querela testatur, *Factus est*, inquiens, *sicut populus sic sacerdos* (Jes. 24, 2). Malitia namque dierum labentium, quae cum tempore corrupit et mores, dante quam plurimis ex impunitate audacem semper et in deteriora proclivem infraenit licentiae libertatem, nonnulli clerici praecipi lubricae voluptatis arbitrio laxas committentes habenaſ, post carnis suae concupiscentiam abierunt, et relegata paene penitus a conversatione vitae suaे clericalis munditie et honestate, tenent etiam in conspectu populi concubinas, cum quibus impudicae frontis irreverentiam induentes, foedas manus et foetidas—non erubescunt—sacris ministeriis immiscere.—Per tales maxime nomen Domini blasphematur in terris;—per tales ergo perdit religionem catholicam devotio reverentiae christiana: per tales decipitur populus in Divinis, et ecclesiastica substantia dissipatur: hinc detrahitur verbo Dei, dum immundis labiis talium nunciatur, hinc haeretici mussitant et insultant, hinc tyranni saeviunt, hinc perfidi persequuntur, hinc grassantur audaciū in Christi patrimonio sacrilegi exactores: a quibus, proh pudor, ob hujusmodi carnes putridas, quas disciplinalis mucro non resecat, sicut deceat, sincerum catholicae matris corpus in ostentum ducitur et contemptum. Compare D. H. Leyser's deutsche Predigten des xiii u. xiv. Jahrh. (Quedlinb. u. Leipzig. 1838). Vorwort, s. xxviii.

¹¹ To this class belong the Poems of Gaultherus Mapes (see above, § 62, note 20). The Thiersfabel (first in Latin, Isegrimm, in the earlier half of the 12th century, Reinhart in the middle of the 12th century, afterward translated into the language of the country), see Reinhart Fuchs v. Jac. Grimm, Berlin, 1834. Einleit. Gervinus, Gesch. d. deutschen poet. Nationalliteratur, i. 122. Le Roman du Renart (by Peter of St. Cloud, 1233) publié par M. Méon, Paris, 1826, 4 voll. 8. Niederdeutsche Gedichte of Jacob v. Maerlant, a writer in Damme in Flandern, 1235–1300, see U. P. Okken diss. de priva religionis christiana, medio aevo inter Nederlandos progressae, natura, Groning. 1846, p. 68.—La Bible de Guiot (see § 62, note 18), and other satirical pictures of the manners of the 13th century in the Fabliaux et contes publiés par M. Méon. 4 Tomes, Paris, 1808. Compare Vincent v. Beauvais Hand- und Lehrbuch, v. F. Chr. Schlosser, ii. 150.

¹² Conc. Lateran. IV. ann. 1215, c. 6 (De cr. Greg. lib. v. tit. i. c. 25): *Sicut olim a sanctis Patribus noscitur institutum, metropolitani singulis annis cum suis suffraganeis pro-*

ures could no longer avail. Thus the clerical order entirely forfeited the respect of the laity:¹³ their arrogance was endured with so much the greater discontent; and, in spite of the undefined fear of the mystical character received by them at their ordination, a frantic hatred of the clergy was not unfrequently displayed.¹⁴

vincialia non omittant concilia celebrare. (Compare, on the other hand, Cone. VIII. ann. 869, c. 17. Part 1, § 41, note 15). In quibus de corrigendis excessibus et moribus reformati, praesertim in clero, diligentem habeant cum Dei timore tractatum, canonicas regulas, et maxime quae statutae sunt in hoc generali concilio, relegentes, ut eas faciant observari, debitam poenam transgressoribus infligendo. Ut autem id valeat efficacius adimpleri, per singulas dioeceses statuant idoneas personas, providas videlicet et honestas, quae per totum annum simpliciter et de plano, absque ulla jurisdictione, sollicite investigent, quae correctione vel reformatione sint digna, et ea fideliter perferant ad metropolitani, et suffraganeos, et alios in concilio subsequenti. (Compare the constitution of the Synodal tribunal, Part 1, § 35, note 1.) Cap. 7 (Decr. Greg. I. xxxi. 13) : Irrefragabili constitutione sancimus, ut Ecclesiarum Praelati ad corrigendos subditorum excessus, maxime clericorum, et reformatos mores, prudenter et diligenter intendant, ne sanguis eorum de suis manibus requiratur. Ut autem correctionis et reformationis officium libere valeant exercere: decernimus, ut executionem ipsorum nulla consuetudo vel *appellatio* valeat impedire, nisi formam excesserint in talibus observandam. (Compare, on the other side, § 62, note 9.) Cap. 8 (Decr. Greg. V. i. 24) : Non solum cum subditus, verum etiam cum Praelatus excedit, si per clamorem et famam ad aures superioris pervenerit, non quidem a malevolis et maledicis, sed a providis et honestis nec semel tantum, sed saepe,—debet (Praelatus) coram Ecclesiae senioribus veritatem diligentius perscrutari; ut si rei poposcit qualitas, canonica districtio culpam feriat delinquentis.—Licit autem hoc sit observandum in subditis, diligentius tamen est observandum in Praelatis, qui quasi signum sunt positi ad sagittam. Et quia non possunt omnibus complacere, cum ex officio suo tenentur non solum arguere sed etiam increpare,—frequenter odium multorum incurront, et insidias patientur. Et ideo ss. Patres provide statuerunt, ut accusatio Praelatorum non facile admittatur.—Verum ita voluerunt provide Praelatis, ne criminaarentur injuste.—Sed cum super excessibus suis quisquam fuerit infamatus, ut jam clamor ascendet, qui diutius sine scandalo dissimulari non possit, vel sine periculo tolerari; absque dubitacionis scrupulo ad inquirendum et puniendum ejus excessus—procedatur, quatenus, si fuerit gravis excessus, etsi non degradetur ab ordine, ab administratione tamen amoveatur omnino. Comp. F. A. Biener's Beitrage zu d. Gesch. des Inquisitions-Processe. Leipzig, 1827, s. 38 ff.

¹³ So the lady, whose favor he sought, answered the troubadour Gui d'Uisel, who was a canon (about 1200): *Vous êtes un noble homme; quoique vous soyez clerc, vous êtes aimé et estimé* (Millot hist. littér. des troubadours, iii. 4).

¹⁴ As also Boniface VIII. confesses: *Clericos laicos infestos oppido tradit antiquitas*, see above, § 59, note 6. We may compare especially the words of the troubadour, Peire Cardinal (about 1220) after the translation in F. Diez Leben und Werke der Troubadours, Zwickau, 1829, s. 447: The clergy call themselves pastors and are butchers. Kings and Emperors once used to rule the world: now priests exercise lordship with theft and treason—with hypocrisy, force, and threats. They are not satisfied unless every thing is surrendered to their hands, and, though there be delay, in the end it is brought about. The higher their rank, so much the less virtue they possess and the more folly, the less truthfulness and the more falsehood, the less learning and the more faults, and withal so much the less courtesy.—The priests are so full of ambition, that they can not bear to see any one in the whole world hold sway except themselves. They work with all their might to draw over the whole world to themselves, whoever may be the sufferer; they win such persons with obsequiousness and gifts—with pardons and hypocrisy—with indulgences—with eating and drinking—with preaching and cursing—with God and

§ 66.

PROPERTY OF THE CLERGY.

Not to any regard for their persons,¹ but to the superstition and circumstances of the age, were the clergy indebted for the remarkable increase of their property; it was brought about partly by the enforcement of tithe law,² partly by wills, partly by advantageous

the devil. Vultures and birds of prey scent not the mouldering carrion so swiftly as they scent a rich man. Immediately he is their friend; sickness lays him low, he must heap gifts on them to the prejudice of his relations. Frenchmen and priests have the praise of superior wickedness—for goodness is their aversion, and so forth. Bertrand Carbonel also (about the year 1250), in Diez, s. 587, writes thus: Ha, ye false priests, liars, traitors, perjurors, whoremongers, infidels, so much open wickedness ye work day by day, that ye have thrown the whole world into consternation. St. Peter never drew revenues from France, nor extorted usury—no, he held upright the balance of justice. Ye do naught of the kind. For money ye unjustly pronounce and recall sentence of excommunication; without money there is no redemption for us. Guillem Figueira also (about 1244), in Diez, s. 567: Truly our shepherds are become ravening wolves, they rob wherever they can, and wear therewith the mien of peace. One of them will lie with a woman, and nevertheless on the next morning touch with unhallowed hands the body of our Lord. If you lift your voice against them they bring accusations against you, you are excommunicated, and if you do not pay, you have neither peace nor friendship more to hope from them. Holy Virgin Mary, our Lady, grant me but to live to the day when I shall neither have to shun nor fear them more.

¹ On the scarcity of gifts, and the inclination to cut down ecclesiastical incomes in the thirteenth century, see Lacomblet's *Urkundenbuch fur die Gesch. des Niederrheins*, Bd. ii. Vorr. s. ix.

² Compare Part. i. § 9, note 1. Tithe was, in the first place, introduced as a Divine ordinance, where as yet it had found no entrance, and in spite of all opposition from the laity, gradually passed into law. Thus, in Portugal it was recognized at the end of the eleventh century, and in the twelfth prevailed universally, Schafer's *Geschichte v. Port.* i. 167. In Castile and Leon, Alphonso X., in his *Partidas*, first gave it force of law, see § 62, note 22, and the *Mémoires*, p. 854, there quoted. In Denmark, Canute the Saint introduced it in 1086; but it was always paid irregularly, and in the year 1171 the peasantry of Schoonen rose in rebellion on this account: Münter's *K. G. v. Danem. und Norw.* II. i. 15, 343. In Norway it was demanded immediately after the conversion of the country; however, it had to be enforced by King Magnus in the year 1267, Münter, II. i. 37. Further, in the second place, it was established as a ruling maxim that all tithes were of ecclesiastical origin; and that, where they had passed into the possession of laymen, they were withheld from the Church only by robbery or feudal grant (to bailiffs and administrators, *decimae infeudatae*), but that no layman could possess tithes without peril to his soul. Especially so after Conc. Lateran. III. ann. 1179, c. 14, Mansi xxii. 226: *Prohibemus etiam ne laici decimas cum animarum suarum periculo detinentes, in alios laicos possint aliquo modo transferre. Si quis vero receperit, et Ecclesiae non trandiderit, christiana sepultura privetur.* Frederick I., indeed, in the Diet at Gelnhausen, 1108, declared that the lay impropriation of the *decimae infeudatae* was legal (Arnold. Lubec. lib. iii. c. 18, see above, § 53, note 6), and it was commonly understood that only the transfer of tithes from layman to layman was forbidden in that canon. However, conscientious scruples were awakened by it in the minds of many lay impropriators. Thus in many places tithes

purchases and mortgages,³ obtained mostly from nobles who took the Cross,⁴ partly by compacts with the oppressed free commonalty, who received their own property in copyhold from them.⁵ From time to time, however, this immoderate increase of ecclesiastical wealth began already to attract attention, and receive some restrictions from secular law.⁶

were restored to the Church, especially to religious houses, or sold and exchanged at a low valuation. See Warnkonig's *Flandrische Staats- und Rechtsgeschichte* (Tübingen, 1835), i. 443.

³ A considerable influence over these was consigned to the clergy, by the decree of Alexander III., 1170 (*Decr. Greg. lib. iii. tit. 26, c. 10*): *testamenta, quae Parochiani coram presbytero suo et tribus vel duabus aliis personis idoneis in extrema fecerint voluntate, firma decernimus permanere*: which was yet more enhanced by the enactment that the parish priest must be a witness (*Constit. Ricardi Ep. Sarum, ann. 1217, c. 70*, in *Mansi xxii. 1127*: *Praceipimus quod laicis inhibeatur frequenter, ne testamenta sua faciant sine praesentia sacerdotis*.—*Inter alia etiam singuli sacerdotes infirmos suos moneant, et efficaciter inducant, quod fabricae Sarum Ecclesiae suaem memores, prout Deus inspiraverit illis, in testamento suo, de bonis suis relinquant*. *Conc. Avenion. 1281, can. 10*: *Ne aliquis auderet sine suo parochiali Presbytero condere testamentum*. *Thomas-sin. P. iii. lib. i. c. 24, § 5, 6, 8*). People were reminded at their last confession to make their wills; to die intestate and unconfessed, was held to be the same (see *du Fresne glossarium s. v. intestatio*); refusal of burial in consecrated ground was the consequence of either (*Brewer's Gesch. d. französischen Gerichtsverfassung*, Düsseldorf, 1837, ii. 704). All suits about wills, even the execution of the wills, belonged to ecclesiastical jurisdiction. They even demanded in England and Normandy (*Ecclesiasticae libertatis in Normannia leges*, ann. 1090, *Mansi xxii. 592*): *Si quis subitanæ morte—praeoccupatus fuerit, ut de rebus suis disponere non possit, distributio bonorum ejus ecclesiastica auctoritate fiat*, and with regard to this the Papal Legate Othobonus in *Conc. Londin. ann. 1268, c. 24* (*Mansi xxii. 1238*) more definitely determined that such possessions should not be held back by the prelates, but be distributed for pious purposes. In one such case in France a will made by the relatives instead of the deceased is admitted, see *Brewer*, ii. 705.—In Germany, on the other hand, wills made on a death-bed met with a long resistance from the maxim of law, that he alone could make a valid will who could yet walk free and unsupported along the highway. (*J. Grimm's deutsche Rechtsalterthümer*, Gottingen, 1828, s. 96.) In vain did the German bishops vie in opposition to this custom, *quae dicenda potius est corruptela, cum sit contraria rationi, et contra jura canonica et civilia, videlicet, quod judices et seabinii et consiliarii quorundam oppidorum—judicant, quod nullum testamentum, donatio vel legatum teneat super immobilibus, quod vel quae a decumbentibus in lecto in pios usus vel alias personas fuerit factum vel facta* (so the *Conc. Colon. ann. 1300*): The German magistrates for a long time paid them no regard: comp. *Bodmann's Rheingauische Alterthümer*, Mainz, 1819. 4. S. 648. The clergy, on the other hand, endeavored partly by a form of execration which they appended to the will, partly by ecclesiastical penalties against the uncomplying heirs of the intestate, to create respect for it: see *J. A. Kopp de testamentis Germanorum ungehabt und ungestabt*, Francof. ad M. 1736. 4.

⁴ See § 51, note 14. *Planck, IV. ii. 345.* *Raumer, vi. 312.* So says Eberhard, archbishop of Salzburg, in a document of the year 1159 (*Monumenta boica, iii. 540*): *Tempore, quo expeditio Jerosolymitana fervore quodam miro et inaudito a saeculis totum commovit fere occidentem, cooperunt singuli, tanquam ultra non reddituri, vendere possessiones suas, quas Ecclesiae secundum facultates suas suis prospicientes utilitatibus emerunt*.

⁵ *Montag's Gesch. d. deutschen Staatsbürgerl. Freiheit*, ii. 655.

⁶ In several cities it was forbidden by law that landed property should be left in mort-

The Prelates had now to suffer more than ever from their administrators.⁷ They sought help against their encroachments partly from the Lords of the soil;⁸ but partly following the example of the Cistercian order, which from its first foundation had allowed no administrators of finance,⁹ they endeavored to shake them off by all possible means.¹⁰

main. This was the case in Montpellier (1113. *Hist. gén. de Languedoc* ii. *Preuves*, p. 388), Erfurt (*Guden Hist. Erfurt*, p. 61), Lubeck (*Jus Lubec. in de Westphalen monum. inedita*, iii. 625, 669, 687). In Lubeck, also, oblations were restricted by law with the same view, the increase of masses for the dead forbidden, with other measures of the same kind, see *Theol. Studien u. Krit.*, I. i. 116. Alphonso II., king of Portugal, in the year 1211, forbade churches and monasteries to acquire any other landed property, except what was in use for anniversaries and other duties for the dead; but this law remained without effect, see Schafer's *Gesch. v. Portugal*, i. 146, 330.

⁷ So says a bishop of Munster in 1185, in Falke *codex traditt. Corbejensium*, p. 229: *universitas Ecclesiarum advocatorum insolentia laborat et fere succumbit.* The oppression was often made more severe by this circumstance that the bailiwicks became hereditary fiefs, and were often broken up into small offices, and granted in mesne tenure. See Hullmann's *Gesch. des Ursprungs der Stande in Deutschland*, 2te Ausg. (Berl. 1830) s. 257 ff. Montag, ii. 450, 508. Raumer, vi. 383. Hurter, iv. 61. Honorius III. says in the year 1221 (in Lacomblet's *Urkundenbuch*, ii. 51): *nonnulli—in bonis ecclesiasticis, in quibus advocationis jus obtinent, non solum prodigaliter debachantur, verum etiam ea diripiunt ut praedones.* Compare the letter of remonstrance sent by Tulcard, abbot of Lobbes, to the Emperor Henry IV. in d'Achery *spicileg.* ii. 747. There are other examples in Zirngibl's *Abh. über das Mundiburdum*, in d. *neuen hist. Abhandl. d. baier. Akad. d. Wissensch.* Bd. 5 (München, 1798. 4), s. 286, 318. Riedel's *diplom. Beiträge zur Gesch. d. Mark Brandenburg*, Th. 1 (Berlin, 1833), Urk. xvi. xxxi. xxxii. The most remarkable instance of this kind is furnished by the Vicedominus Ludovicus against Godfrey, archbishop of Treves (from 1124–1128), as the contemporary Baldricus relates in his *vita Alberonis* (in *Honthemii hist. Trevir.* i. 468): *D. Godefridum Archiepiscopum suis artibus in tantum sibi subegerat, quod dicebat, se in beneficio tenere palatum atque omnes redditus episcopales in illud deferendos, et quod ipse pascere deberet Episcopum cum suis Capellani, et caetera omnia ad Episcopatum pertinentia de suo esse beneficio. Ad Episcopum autem dicebat pertinere Missas, et ordinationes clericorum, et consecrationes Ecclesiarum celebrare: sui vero juris dicebat esse terram regere, omniaque in Episcopatu disponere et militiam tenere.* Unde per singulos dies ad prandium Episcopi sextarium vini et duos sextarios cerevisiae administrabat, ipse vero cum multititudine hominum in mensa sua quasi magnus Princeps quotidie epulabatur splendide, stipatus caterva militum ubique incedebat, et omnibus modis toti terrae principabatur.

⁸ The efforts of the Popes with this view may be found in Hurter, iv. 75, comp. above, § 53, note 6, § 54, note 16. The oft-repeated orders of the Emperors on the condition of the administrators (for instance, in Ratisbon, 1104, in Pertz, iv. 62; in Gelnhausen, 1180, p. 164) are to be found in Hullmann, s. 251. Montag, ii. 488. Raumer, vi. 384.

⁹ Montag, ii. 514 ff.

¹⁰ Zirngibl. s. 320 ss. Hullmann, s. 268 ss. Eichhorn's *deutsche Staats- u. Rechts-geschichte*, ii. 528. Raumer, vi. 125. Hurter, iv. 67, 80.

THIRD CHAPTER.

HISTORY OF MONACHISM.

General Literature, see vol. i. div. 2, before § 95 and § 119. On the condition of all the Orders in this period, see Jac. a Vitriaco (bishop of Acco, then Cardinal † 1244: he wrote, *Hist. orientalis et occidentalis* ed. Fr. Moschus. Duaci, 1597. 8) *hist. occidentalis*, c. 12–c. 33.

[Eustathius, v. Thessalonischa Betrachtungen über den Mönchsstand; aus dem griechischen, von G. L. Tafel, 1847. Cf. Kitto's Journal, vol. iv.]

§ 67.

MONASTIC ORDERS DOWN TO THE TIME OF INNOCENT III.

Martene et Durandi vett. scriptt. collectio amplissima, T. vi. praef. p. 2. Hurter's Innocenz III. iv. 85.

The cycle of advance from the institution of fresh orders to fresh decay, and the reverse, a cycle in which monastic history incessantly travels, has never repeated itself more often than in this period. Especially in France, there rose many founders of orders, who desired no less than the Popes to restore a stricter discipline in the Church, and endeavored with this in view to bring back monastic rules to their first severity. Stephen of Tigerno founded (1073–1083) the order of Grammont (*ordo Grandimontensis*);¹ Bruno of Cologne (1084) the Carthusian order (*La Grande Chartreuse* in Grenoble, *ordo Curtusianus*);² Robert of Arbrissel (1094) the order of Fontevraud (*ordo Fontis Ebraldi*);³ the Abbot Robert

¹ Vita s. Stephani by Gerhard, seventh prior of Grammont, in Martene et Durand ampliss. collectio, vi. 1050.—Mabillon annal. Ord. s. Ben. v. 65, 99. Ejusd. act. SS. Ord. Ben. saec. VI. ii. praef. p. xxxiv. Hurter, iv. 137.

² Mabillon annales, v. 202. Ejusd. act. SS. Ord. Ben. saec. VI. ii. praef. p. xxxvii. Acta SS. Oct. iii. 491, ad d. 6, Oct. The true origin of the order is recorded by Bruno's later contemporary Guibert, Abb. b. Mariae de Novigento, *de vita sua lib. i. c. 11* (Opp. ed. d'Achery, p. 467): The tale of the miraculous inducement which led S. Bruno to renounce the world is first found at the end of the 13th century, and is gathered from the *Breviar. Romanum* under Urban VIII. Jo. Launoi *de vera causacessus s. Brunonis in eremum*. Paris, 1646. (Opp. II. ii. 324.) Pragm. Gesch. d. vornehmsten Mönchsorden (10 Bde. Leipz. 1774–83), iv. 1. Hurter, iv. 149.

³ Mabillon, ann. v. 314. Acta SS. Febr. iii. 593, ad d. 25. Febr. Robert's Life by his contemporary, Baldricus Abb. Burguliensis in Act. SS. l. c. The long-forgotten superstition of the *Syneisaetae* was renewed by Robert (see vol. i. part 1, § 73, note 17), as we are given to understand by the warnings in Godefridi Abb. Vindocinensis, lib. iv. ep. 47, ad Robertum (in Sirmondi opp. iii. 549. Bibl. PP. Lugd. xxi. 49, that this letter is not a forgery, as the Bollandists would make us believe, see Mabillon, l. c. p. 424), and in the

(1098) the monastery and order of Citeaux (Cistercium. ordo Cisterciensis).⁴ In the course of the 12th century the Premonstrant order was added; it was founded by Norbert, a canon of Zante, at Premontré (Premonstratum) in 1120,⁵ and the Carmelite order, which received its origin about 1156, on Mount Carmel, from one Berthold, a Calabrian.⁶ Gaston, induced by the prevalence of a pestilential disease distinguished by the name of St. Antony's Fire, founded (1095) the order of St. Antony at Vienne, for the cure of the sick (called Hospitalarii s. Antonii Abbatis, Antonier, Antoniterherren):⁷ Guido instituted at Montpellier, about 1178, the Brethren of the Hospital; Innocent III., in 1204, appointed the newly-revived Hospitale s. Spiritus in Saxia as their Mother-house at Rome; similar Hospitalia s. Spiritus were founded in connection with this in many towns (the brethren were called Hospitalarii s. Spiritus, Kreuzherren).⁸ For the liberation of captive Christians

letter of Marbod, bishop of Rennes, to Robert (Mabillon, l. c. p. 425). The order remained chiefly confined to France. Pragm. Gesch. i. 279. Hurter, iv. 229.

* Relatio, qualiter incepit Ordo Cisterciensis, by an unknown author, first published in Auberti Miraei chron. Cisterciensis Ordinis. Colon. Agripp. 1614. 8. p. 8, and here less injured than the copy in Luc. Holstenii cod. regal. ed. Brockie, 11. 386 ss., taken from Rog. Dodsworthii et Guil. Dugdale monasticon Anglicanum, vol. 1. Mabillon. ann. v. 219, 393. Angeli Manrique annales Cistercienses. Lugd. 1642. vol. iv. in fol. Chrysost. Henriquez regula, constitutiones et privilegia Ord. Cisterciensis. Antverp. 1630. fol. Pierre le Nain essai de l'histoire de l'ordre de Citeaux. Paris, 1696 s. voll. ix. in 8. Pragm. Gesch. ii. 49; iii. 1. Hurter, iv. 164.

⁵ Compare especially the contemporary Hermanni Monachi de miraculis s. Mariae Laud. libb. iii. c. 2 ss. in Guiberti opp. ed. d'Achery, p. 544 ss. Acta SS. Jun. 1. 804. ad d. 6. Jun. Chrysost. van der Sterre vita s. Norberti. Antverp. 1656. 8. La vie de s. Norbert (par le P. Louis Charles Hugo), Luxemb. 1704. 4. Pragm. Gesch. iv. 271. Hurter, iv. 200.

⁶ The order grew up in some inconsiderable hermitages so unnoticed, that we owe the first intimation of it to the cursory remark of a Greek writer. John Phocas, 1185, in his description of the Holy Land (in Leon. Allatii symmicta. Colon. 1654. 8. P. 1), first mentions the cavern of Elias on Carmel, the ruin of an ancient monastery, and adds Πρὸ δέ τινων χρόνων ἀνὴρ μοναχὸς, ἵερεν τὴν ἀξίαν,—εξ ἀποκαλύψεως τοῦ Προφήτου τῷ τόπῳ ἐπιδημήσας,—ἀδελφοὺς ὡσεὶ δεκὰ συνάζας, τὴν τὸν ἄγιον χῶρον ἔκεινον οἰκεῖ. Even in the year 1211, the society was so insignificant, that Willibrandus ab Oldenburg, in his Itinerarium terrae sanctae (in Allatius l. c.), mentions indeed the Mansio Eliae, but not this. On the other hand, Jacobus de Vitriaco (1218), in his hist. Hierosol. c. 52 (Gesta Dei per Francos I., 1075): Alii ad exemplum et imitationem sancti viri et solitarii Eliae Prophetae in monte Carmelo—juxta fontem, qui fons Eliae dicitur,—vitam solitariam agebant. etc. However, the society received a rule (probably in the year 1209) from Albert, patriarch of Jerusalem (in Holsten. codex regul. ed Brockie, iii. 18), and confirmation of the rule from Pope Honorius III. 1226, under the name, Fratres eremitae de monte Carmelo, also, eremitaes s. Mariae de Carmelo, cf. Dan. Papebrochius in Act. ss. April. i. 774. Pragm. Gesch. i. 1. Hurter, iv. 211.

⁷ Acta SS. Januar. ii. 160. J. E. Kappii diss. de fratribus s. Antonii. Lips. 1737. 4.

⁸ Petri Saulnier. diss. de capite s. Ordinis s. Spiritus, in qua ortus progressusque Or-

from the hands of the Infidels, John of Matha established in 1198 the order of the Trinitarians (*Ordo sanctissimae Trinitatis de redemtione captivorum, Mathuriner*), with the principal monastery of Gerffroi in the diocese of Meaux.⁹

On the other hand, in both the elder orders, that of the Benedictines and of Cluny, desire of independence, ambition, and love of pleasure had increased with their wealth. The Popes encouraged them in the following manner: since the time of Gregory VII., they had been continually granting new exemptions to the monasteries,¹⁰ which canvassed for them with jealous rivalry, and episcopal insignia and privileges to the abbots.¹¹ Besides the genuine

dinis totius, ac speciatim Romanae domus amplitudo disseruntur. *Lugd. 1694. 4. Vom Orden d. heil. Geistes, in Abele's Mag. f. Kirchenrecht u. Kirchengesch. ii. 421. Hurter, iv. 220.*

⁹ *Pragm. Gesch. IV. iii. Hurter, iv. 213.*

¹⁰ Of these there were many gradations, see Thomassin p. I. lib. iii. c. 37 ss. Planck, IV. ii. 542. Montag, ii. 532. Raumer, vi. 363, 374. Hurter, iii. 488: How far these extended in some cases, compare Urbani II. ep. x. ad Abbatem Cavensem (in Mansi xx. 652), in which he grants the monastery first many indulgences, and afterward remarkable privileges: *Apostolicæ ergo memoriae praedecessoris nostri Gregorii VII. institutis tenacius adhaerentes, Cavense coenobium—nos quoque hujus nostri privilegii pagina communimus, et ab omni tam saecularis quam ecclesiasticae personae jugo liberum esse omnino decernimus.—Concedentes et edicto perpetuo confirmantes, ut tam tu quam successores tui per terras tui monasterii habitas et habendas libere possis ecclesias construere, cum cruce signare, aliaque pontificalia et spiritualia exercere: sacrorum ordinum collationis, basilicarum et altarium consecrationis, ac chrismatis confectionis, tibi tuisque successoribus dumtaxat abdicata penitus potestate. Decernentes, ut tam ipsius coenobii caput, quam Ecclesiae, quas nunc habet, sive plebanæ fuerint, vel rurales, in civitate et dioecesi tantummodo Salernitana situatae, ab omni jure et jurisdictione episcopali sint exemptæ, de plenitudine potestatis et gratia speciali; ita ut nullo jure seu foro contentiousio tu vel tui successores, fratres ipsius monasterii, seu clerici saeculares in praedicta civitate et dioecesi, per Salernitanum praesulem ac capitulum aliquatenus constringantur, quinimo Ecclesiae cum omnibus suis juribus et pertinentiis pleno jure ipsi monasterio sint subditæ. Si vero aliquos de tuis monachis, seu clericos saeculares in Ecclesiis civitatis praedictæ et dioecesi commorantes ad sacros elegeris Ordines promoveri, liceat tibi tuisque successoribus quemcumque malueris Episcopum convocare, dummodo catholicus fuerit, sed in aliis dioecesibus requisito dumtaxat primitus diocesano. De quibus Ecclesiis, sitis in jam dicta civitate et dioecesi, nihil dioecesanus exigere praesumat. From legacies left to monasteries, the bishops might not demand, quartam vel tertiam partem. The monastery might bury any one who desired it in its church-yard, and so forth.*

¹¹ The use of the *dalmatica* and sandals had been before now allowed to many abbots (Montag, ii. 238); the other Episcopal insignia, for instance the mitre, were about this time first assigned to abbots (called from this *Abbates mitrati s. infulati*). The Abbot of the Monastery of St. Augustine in Canterbury is said, indeed, to have received the mitre and sandals from Alexander II. as early as 1063 (Guil. Thorn. chron. de gestis Abbatum s. August. Cantuar. in Hist. Anglicanae scriptt. x. ed. Twysden, p. 1785). This distinction was discontinued, per simplicitatem Abbatum, until Abbot Roger I. revived it in the year 1179 (l. c. p. 1824): however, the monks of this monastery are so infamous for forged privileges (Wharton Anglia sacra P. II. Praef. p. iv.), that the first statement may well

privileges of this kind, spurious imitations¹² were produced in great numbers during this age of forgeries (see above, § 60, note 10). Moreover, the numerous unions of parishes with monasteries which were protected from bishops, no less than from secular patrons,¹³ furnished the abbots with an inducement to grasp at Episcopal rights.¹⁴ Amid the prosecution of such aims, and in per-

be thought false. On the other hand, the Abbot of St. Maximin in Treves received from Gregory VII. mitram et chiroticas (Aub. Mirae hist. diplom. Belgic. c. 1). Urban II. granted, Dalmaticae, campagorum, chirothecarum et mitrae usum, to the Abbots of Cluny in 1088 (Bullarum Romanorum Pontiff. ampl. collectio op. C. Cocquelines, n. 62, 83) and of Cassino, 1097 (ibid. p. 98. Chron. Casin. iv. c. 17, in Muratorii script. iv. 503). On the contrary, he granted to the Abbot of St. Sophia in Beneventum, 1092, only permission, on five festivals every year, ad Missarum tantum solemnia chirothecis atque etiam campagis uti (Bull. Rom. l. c. p. 73). The Abbot of Fulda first received the mitre and ring from Innocent II. in the year 1137 (Schannat cod. prob. hist. Fuld. p. 174). Comp. Petri Blesensis ep. 90, below, note 14. Thomas Cantipratensis (about 1255) bonum universale de apibus, lib. I. c. 6, no. 2, 3, says, that at first these insignia were rarely granted; afterward, however, they were obtained by many abbots at a great price. Gregory IX. allowed (1236) the Abbot of the Benedictine monastery s. Facundi besides, indumenta sacerdotalia benedicere ac monachos, et clericos saeculares monasterio ipsi pleno jure subjectos usque ad Acolytatus ordinem promovere (see the Bull in Emm. Roderici nova collectio privilegiorum mendicantium, Antwerp. 1623, fol. p. 12). All these and still further privileges Innocent IV. granted, in 1247 and 1248, to the Abbot of St. Gall, in reward of his gallantry against Frederick II.: in particular, he gave him the right of blessing new sacred vessels, and of ordaining to the ordines minores, he also granted him several parishes, and such other privileges, see Arx, Gesch. des Cantons St. Gallen, i. 361.

¹² Comp. Godefridi Episc. Ambianensis († 1118) vita lib. ii. c. 9 ss. in Surius ad d. 8. Nov. The monks of the Monastery of St. Valericus assert their independence of the Bishop of Amiens; they said they were subject to no man but the Roman Pontiff, and in proof of their claim produced forged privileges signed with the name of some Roman Pope. They were convicted of fraud, but now they betake themselves to Pascal II. (c. 14), ply well their gifts, and return home glad and cheerful, having got all they wished from the Roman Pontiff. A bishop of Chalons told Pope Innocent at the Council of Rheims, 1131 (see Epist. Egidii Ebroicensis Episc. ad Alexandrum P. in Wharton Anglia sacra P. ii. Praef. p. v.), quod, dum in Ecclesia b. Medardi Abbatis officio fungeretur, quendam Guernonem nomine ex monachis suis in ultimo confessionis articulo se falsarium fuisse confessum, et inter caetera, quae per diversas Ecclesias figmentando conscriperat, Ecclesiam b. Audoeni, et Ecclesiam b. Augustini de Cant. adulterinis privilegiis sub apostolico nomine se munisse, lamentabiliter poenitendo asseruit. So writes Petrus Blesensis (about 1160) in the name of the Archbishop of Canterbury, to Alexander III. (Petr. Bles. epist. 68, in Bibl. PP. Ludg. xxiv. 988): Falsariorum praestigiosa malitia ita in Episcoporum contumeliam se armavit, ut falsitas in omnium fere monasteriorum exemptione praevaleat. The Monastery of Michelberg, in Bamberg, was infamous for the manufacture of forged documents. Jack's Gesch. d. Bamb. Bibl. II. ix. Comp. Planck, IV. ii. 552.

¹³ Examples are to be found in Günther cod. Rhen. Mosell. ii. 62. Lacomblet's Urkundenbuch f. d. Gesch. d. Niederrheins, Bd. 2, vorr. S. xiii. Hurter, iii. 458.

¹⁴ Thus complains Arnulphus Episc. Lexoviensis (about 1160) in epist. 69, ad Alexandrum Papam (Bibl. PP. Ludg. xxii. 1339): Est quiddam quod tam meam quam alias vehementer angit Ecclesiastis, quorundam scilicet rapax et intemperans audacia Monachorum, qui, quo liberius affluent, saecularis potentiae praesidia redimentes, primo Episcopis omnem obedientiam subtrahunt, et parochiales Ecclesiastis cum altariis et decimationibus caeterisque beneficiis de manu laica recipere pactis quibuslibet sacrilegia temeritate praesu-

fect freedom from Episcopal oversight, it could not but happen that monastic discipline in the religious houses should fall more and more into decay,¹⁵ and that in many of them scandal should be occasioned by their haughtiness and luxury.¹⁶

munt. In his ergo ab eis nec canonicus ordo, nec episcopalis assensus exigitur; sed de- vocatis ad proprietatem omnibus, mercenarios in tanta paupertate ibi constituunt sacerdos- tes, ut ad exhibitionem suam et ad onera Ecclesiae portanda non habeant, quod opilioni sufficeret aut cursori. Generale est hoc, sed in episcopatu meo vehementius est haec grassata malignitas, nec jam nobis cuiuslibet rationis obtentu, sed fallaciis ac muneribus nobis, praesidioque violentiae saecularis obsistunt. Stephanus Ep. Tornacensis (about 1195) epist. 200, brings the same complaints of the monks of s. Bertini. Conc. Mogun- tium, ann. 1261, c. 47 (in Hartzheim Concil. Germ. iii. 611): Religiosi plerique, modum avaritiae non ponentes, nec contenti dicitiarum fluvio, quem absorbusse noseuntur, ac cumulando sibi largissima praedia et alios redditus copiosos; ut in os corum totus Jordanus influat, tot suis collegis cupiditatis studio obtainuerunt uniri parochias, et maxime meliores, quod paucae in Alemannia inveniantur Ecclesiae, de quibus possint clericci commode sustentari.—Ad haec cum Religiosi quidam aliebi per fratres sui Ordinis offi- ciente Ecclesias sic unitas, et in fratribus ipsis sit dissolutionis occasio, quia iidem eo sunt procliviores ad lubricum, quo religionis titulo stulte autumant esse exemptos, ac Praelati eorum per Archidiaconos tales corrigi minime patiantur:—auctoritate hujus sacri Concilii et hoc duximus admittendum, ut Religiosorum Ecclesiae non per fratres eorum officientur, sed per clericos saeculares, ut saltem de reliquiis, quae de immensa Religio- sorum mensa ceciderunt, sustentari valeant pauperes sacerdotes. Conc. Lateran. iv. ann. 1215, c. 60: Accendentibus ad nos de diversis mundi partibus Episcoporum querelis, intel- leximus graves et grandes quorundam Abbatum excessus, qui suis finibus non contenti, manus ad ea, quae sunt episcopalis dignitatis, extendunt, de causis matrimonialibus cog- noscendo, injungendo publicas poenitentias, concedendo etiam indulgentiarum literas, et similia praesumendo, unde contingit interdum, quod vilescat episcopalis auctoritas apud multos.

¹⁵ See Bernhardi tract. ad Henricum Senon. Archiep. de moribus et officio Episcopo- rum, c. 9 (ed. Mabillon. iv. 31): Miror quosdam in nostro Ordine monasteriorum Abba- tes hanc humilitatis regulam odiosa contentione infringere, et sub humili (quod pejus est) habitu et tonsura tam superbe sapere, ut, cum ne unum quidem verbulum de suis imperiis subditos praetergredi patiantur, ipsi propriis obedere contemnant Episcopis. Spoliant Ecclesias, ut emancipentur; redimunt se, ne obedient.—Plus timeo dentes lupi, quam virgam pastoris. Certus sum enim ego monachus, et monachorum qualiscunque Abbas, si mei quandoque pontificis a propriis cervicibus excutere jugum tentavero, quod Satanae mox tyrannidi me ipsum subjecio.—Aperte indicant quidam horum quid cogitent, dum, multo labore ac pretio apostolicis adeptis privilegiis, per ipsa sibi vindicant insignia pon- tificalia, utentes et ipsi more pontificum mitra, annulo atque sandaliis. Sane si attendi- tur rerum dignitas, hanc monachi abhorret professio: si ministerium, solis liquet congruere pontificibus. Profecto esse desiderant, quod videri gestiunt, meritoque nequeunt esse subjecti, quibus jam ipso se comparant desiderio. Quid, si et nomen eis conferre privile- giorum posset auctor: quanto putas auro redimerent, ut appellarentur pontifices? Quo ista, o Monachi? Ubi timor mentis? Ubi rubor frontis, etc. Idem de consider. ad Eugen. P. lib. iii. c. 4: Subtrahuntur Abbes Episcopis, Episcopi Archiepiscopis, Archiepiscopi Patriarchis sive Primitibus. Bonane species haec? Mirum si excusari queat vel opus. Sic facilitando probatis, vos habere plenitudinem potestatis, sed justitiae forte non ita. Facitis hoc, quia potestis, sed utrum et debeatis, quaestio est.—Nolo autem praetendens mihi fructum emancipationis ipsius: nullus est enim, nisi quod inde Episcopi insolentio- res, monachi etiam dissolutores fiunt. Quid quod et pauperiores. Inspice diligentius ta- lium ubique libertorum et facultates et vitas, si non pudenda admodum et tenuitas in il- lis, et in his saecularitas invenitur. Petri Cantoris Paris. († 1197) verbum abbreviatum,

In the order of Cluny, which was most widely spread in France, this was especially the case under Pontius (from 1109—

c. 44 (in Launoji opp. III. ii. 513): *Refertur et legitur idem Bernardus in zelum hujus enormitatis et exemptionis ab Ecclesia eradicandae multum affectasse sedere in sede pacatus per triennium, propter tria maxime, propter revocandos Episcopos ad Metropolitanum suum, ut ei subjecerent et obedirent, et Abbates exemptos ad Episcopum suum, ut sub eius jurisdictione militarent. Secundum erat, ne aliquis in Ecclesia duas haberet dignitates. Tertium ne monachus in cella vel alibi extra conventum degeret.*—Petrus Blesensis, ep. 68 ad Alexandrum III. (see note 12), introduces the saying of the Abbot of Malmesbury: *Viles sunt Abbates et miseri, qui potestatem Episcoporum prorsus non exterminant, cum pro annua auri uncia plenam a sede Romana possint assequi libertatem;* and says thereupon: *Adversus primates et Episcopos intumescent Abbates, nec est, qui majoribus suis reverentiam exhibeat et honorem. Evacuatum est obedientiae jugum, in qua erat unica spes salutis, et prevaricationis antiquae remedium. Detestantur Abbates habere suorum excessuum correctorem, vagam impunitatis licentiam amplectuntur, claustralisque militiae jugum relaxant in omnem desiderii libertatem. Hinc est, quod monasteriorum fere omnium facultates datae sunt in direptionem et praedam. Nam Abbates exterius curam carnis in desideriis agunt, non curantes, dummodo laute exhibeantur, ut fiat pax in diebus corum: claustrales vero, tanquam acephali, otio vacant et vaniloquio: nec enim presidem habent, qui eos ad frugem vitae melioris inclinet. Quodsi tumultuosa eorum contentiones audiretis, claustrum non multum differre crederitis a foro. Quid est eximere ab Episcoporum jurisdictione Abbates, nisi contumaciam ac rebellionem praecipere, et armare filios in parentes?* Videant, quaco, ista, et judicent, qui judicant orbem terrae, ne inde emanare videantur injuriae, unde jura sumuntur.—Seimus equidem, quod ob quietem monasteriorum et Episcoporum tyrannidem has exemptiones plerumque Romani Pontifices indulserunt: verumtamen in contrarium res versa est. Monasteria enim, quae hoc beneficium damnatissimae libertatis, sive apostolica auctoritate, sive, quod frequentius est, bullis adulterinis adepta sunt, plus inquietudinis, plus inobedientiae, plus inopiae incurrerunt: ideoque et multae domus, quae nominatissimae sunt in sanctitate et religione, has immunitates aut nunquam habere voluerunt, aut habitas continuo rejecerunt. Peter writes in the same strain to his brother, a certain Abbot William, ep. 90:—*Retulit mihi quidam nuncius vester, qualiter dom. Papa vos mitra propriae capit, et aliis ornamentis episcopalibus insignivit. De benedictione gaudeo: sed insignia episcopalies eminentiae in Abbatie nec approbo, nec accepto. Mitra enim, et annulus, atque sandalia in alio, quam in Episcopo, quaedam superba elatio est, et presumptuosa ostentatio libertatis.*—Putatis in susceptione mitrae, sandaliorum et annuli vestri monasterii dignitatem plurimum promovisse: in his tamen nihil video, nisi inobedientiae malum, seminarium odii, tumorem elationis, et superbiae ventum.—Per salutem itaque patris, qui nos genuit, et per ubera, quae suximus in eadem matre, frater, unice vos adjuro et deprecor, ut in signum plenae humilitatis pontificalis resignetis insignia; aut, si hoc sine scandalo fieri nequit, renunciets in manu dom. Papae monasterii administrationem, etc. William actually did resign his office, as appears from ep. 93.

¹⁶ In the great monasteries, as the abbots imitated bishops, so the monks imitated canons, Arx, Gesch. v. St. Gallen, I. 469. Opportunities for wanton living were especially given, when there were convents for both sexes under one roof, or close beside each other, or, when in an establishment for monks, sorores conversae or reclusae, were to be found. Raumer, vi. 426. Hurter, iii. 527. Spieker's Kirchen u. Reform.-Gesch. v. Brandenburg, i. 107, 509. Concerning the corruption of morals in the Hungarian Benedictine monasteries, see Honorii P. III. Letters from the year 1225, in Fejér cod. dipl. Hungar. III. ii. 19. There are complaints against the monastic orders in Nigellus Wineker (Precentor at Canterbury about 1180), *speculum stultorum*, in the *Delectus poeseos medi aevi* fasc. 1, Lond. 1836. Satire: *The Land of Cocaygne*, in Haupt's und Hoffmann's alt-deutsche Blätter, i. 396.

1125), the licentious Abbot of Cluny;¹⁷ while, at the same time, the new Cistercian order found a distinguished chief in Bernard, its second founder (1113 monk at Citeaux, 1115 Abbot of Clairvaux † 1153),¹⁸ and began to develop a character thoroughly opposed to that of the Cluniac order.¹⁹ Thence may be explained

¹⁷ Mabillon *annal.* v. 252. 530.

¹⁸ Bernardi opera (epistolae, sermones, ascetic writings) best edited by J. Mabillon, t. ii. Paris, 1667, new editions 1690. 1718 (Veronae, 1726. 3 voll.) fol., ed. 4 emend. et aucta. Paris, 1839. 2 vol. 4 (Krabinger's Rec. in d. Münchener gel. Anz. Sept. 1841, s. 513).—His Life by William, abbot of S. Thierry in Rheims, and Gaufredus, monk of Clairvaux, both contemporaries, and another by Alanus de Insulis, monk of Clairvaux († 1182), in Mabillon's edition.—A. Neander, *der heil. Bernhard und sein Zeitalter.* Berlin, 2te Aufl. 1848. 8. [A translation of the first edition, by M. Wrench, Lond. 1843.] *Histoire de s. Bernard, par l'Abbé Théod. de Ratisbonne,* Paris, 1840. 2 t. gr. 12. [J. Ellendorf, *Bernhard u. d. Hierarchie,* 2. 8. 1838. A new edition of Bernard's works, 3. 4. Milan, 1851–5.]

¹⁹ The distinguishing characteristics of the Cistercians were : 1. A life of strict poverty (compare the *Instituta Mon. Cist.* under the second Abbot Alberich, about 1100, in the *Relatio in Mirae chron. Cist.* p. 25, quoted in note 4: *rejicientes a se, quicquid Regulæ [Benedicti] refragabatur, froccos videlicet et pelliceas ac stamina, capucia quoque et femoralia, pectinia et coopertoria, stramina lectorum, ac diversa ciborum in Refectorio fercula, sagimen et caetera omnia, quae puritati Regulæ adversabantur, etc.* In the fundamental rule of the order drawn up under the third Abbot Stephanus in the year 1119, the *Charta charitatis*, in Henriquez regula, constitt. et privil. Ord. Cisterc. p. 35, it reads, § 2: *Nunc ergo volumus,—ut Regulam b. Benedicti per omnia observent, sicuti in novo monasterio observantur. Alium non inducant sensum in lectione s. Regulæ, sed sicut antecessores nostri ss. Patres, Monachi videlicet novi monasterii intellexerunt et tenerunt —ita et isti intelligent et teneant), even the disuse of all ecclesiastical pomp (under the third Abbot Stephanus, after 1109, confirmaverunt, ne retinerint cruces aureas aut argenteas, nisi tantummodo ligneas coloribus depictas, neque candelabra nisi unum ferreum, neque thuribula, nisi cuprea vel ferrea, neque casulas nisi de fustaneo vel lino, sine pallo aureo vel argenteo. Pallia vero omnia et cappas atque dalmaticas tunicasque ex toto dimiserunt, etc., see *Relatio*, l. c. p. 391).* 2. Submission to bishops (thus the *Charta charitatis* was drawn up, as Calixtus II. remarks in his Bull of confirmation in Mansi *xxi.* 190, consensu Episcoporum, in quorum parochiis eadem monasteria continentur; and the Cistercian abbots from the first took the following oath to the bishop of the diocese, see Honoriū III. in *Decr. Greg. lib. v. tit. iii. c. 43*: *Ego frater Abbas Cisterciensis Ordinis subjectionem et reverentiam et obedientiam, a ss. Patribus constitutam, secundum regulam s. Benedicti, tibi, domine Episcope, tuisque successoribus, canonice substituendis, et sanctae sedi apostolicae, salvo ordine meo, perpetuo me exhibituru promitto).* 3. Forbearance from all interference with the cure of souls (compare the *Statuta capitulorum generalium Ord. Cistere.* in *Martene thesaur.* iv. 1243, and in *Holstein-Brockie*, ii. 395. For instance, *Statuta ann. 1152, no. 8*: *Nullus præter Regem, sive Reginam, sive Archiepiscopos et Episcopos in nostris sepeliantur ecclesiis;* and ann. 1157, no. 63: *Ad sepeliendum non nisi fundatores recipiantur;* ann. 1182, no. 4: *Pro pacto certo nulla fiat Missarum promissio, quia simoniacum est;* ann. 1185, no. 8. ann. 1186, no. 3: *Nimis est grave, et contra canones et instituta Ordinis, quod Abbates nostri baptizare praesumunt.* A penalty was imposed on them for this, and it was further decreed: *Idem patiatur, qui aquam consecraverit, vel puerum de sacro fonte levaverit;* ann. 1215, no. 20 and ann. 1234, no. 1: *Districte inhibetur, ne monachi Ordinis nostri parochiales Ecclesias regere, vel in eis deservire, aut curam animarum habere—permittantur).* 4. The peculiar form of government of the order, registered in the *Charta charitatis*. Its peculiarity consisted in this, that the monarchical influence of the Abbot of Citeaux received an aristocratic limitation

not only the incredible speed with which this new order spread,²⁰ but also the jealousy which forthwith sprang up between the Cistercian and Cluniac monks.²¹ The organization of general

from the four most eminent abbots next to him (note 20), and the general chapter of the Cistercian order : then that all the monasteries were visited every year, the branch houses by the abbot of the principal church, Citeaux by the four abbots above mentioned. 5. The exchange of the black robe, which the Benedictine congregations had worn down to this time, for a white one, a peculiarity by no means without significance in monks, see Petrus vener. below, note 21.—In their submissive demeanor toward bishops, the Cistercians had the Premonstrants for followers. With regard to a decree of these last, compare the confirmation of Innocent III. lib. i. epist. 197 : *communi consilio Abbatum vestri Ordinis statuistis, quod nullus Abbatum vestrorum mitra vel chirothecis utatur, ne forsan ex ipsis supercilium elationis assumat, aut sibi videatur sublimis, cum his uti se videbit, quae Pontificibus et majoribus Ecclesiarum Praelatis a sede apostolica sunt concessa.* Cf. J. Launoji *inquisitio in privilegia Praemonstratensium* (opp. III. i. 454).

²⁰ The four earliest and most eminent abbeys, daughters (filiae) of Citeaux, were Firmitas (la Ferte) founded in 1113, Pontiniacum (Pontigny) in 1114, Claravallis (Clairvau), and Morimundum (Morimond) in 1115 : each of these, again, had a numerous progeny (filiatio, generatio), so that in the 13th century there were already more than 1800 Cistercian abbeys.

²¹ Compare Hurter's Innocent III. iv. 189. Bernard wrote about 1125 the *Apologia ad Gulielmum S. Theodorici Abbatem*, the Cluniac Abbot of St. Thierry, with the view (cf. prologus), *ut illis, qui de nobis tanquam detractoribus Cluniacensis Ordinis conqueruntur, satisfaciam, thus, et Ordinem quidem laudabilem, et Ordinis reprehensores reprehensibilem doceam, et nihilominus tamen ipsius superflua reprehendam.* He first expresses his esteem for the order of Cluny, and censures the Cistercians, who, with one-sided and superficial judgment, preferred their own order far above all others. Cap. 5: *Frates, qui etiam post auditam illam Domini de Pharisaeo et Publicano parabolam, de vestra justitia praesumentes, caeteros aspernamini, dicitis (ut dicitur), solos vos hominum esse justos, aut omnibus sanctiores : solos vos monachorum regulariter vivere, caeteros vero Regulae potius existere transgressores.* Then he passes on to the abuses of the order of Cluny (cap. 6), quae quidem etsi fieri videntur in Ordine, absit tamen, ut sint de Ordine. —Cap. 7: *Miror etenim, unde inter monachos tanta intemperantia in comeditionibus et potationibus, in vestimentis et lectisterniis, et equitaturis, et construendis aedificiis inolescere potuit : quatenus, ubi haec studiosius, voluptuosius atque effusius fiunt, ibi Ordo melius teneri dicatur; ibi major putetur religio.* Ecce enim parcitas putatur avaritia, sobrietas austeras creditur, silentium tristitia reputatur. E contra remissio discretio dicitur, effusio liberalitas, loquacitas affabilitas, cachinnatio jucunditas, mollities vestimentorum et equorum fastus honestas, lectorum superfluus cultus munditia. He continues, in cap. 8, to censure the voluptuous lives of the monks of Cluny ; cap. 9, the costliness of their clothing ; cap. 10, the expenditure of their abbots (Mentior, si non vidi Abbatem LX. equos et eo amplius in suo ducere comitatu. Dicas, si videoas eos transeuntes, non patres esse monasteriorum, sed dominos castellorum, etc.) ; cap. 11, the magnificence of their churches : *Sed haec parva sunt : veniam ad majora, sed ideo visa minora, quia usitatoria. Omitto oratoriorum immensas altitudines, immoderatas longitudines, supervariegatas latitudines, sumptuosas depoltiones, curiosas depictiones : quae dum orantium in se retorquent aspectum, impediunt et affectum, et mihi quodammodo reprecentant antiquum ritum Judaeorum.* Sed esto, fiant haec ad honorem Dei : illud autem interrogabo monachus monachos, quod in gentilibus gentilis arguebat : *Dicite, ait ille, Pontifices, in sancto quid facit aurum ?* (Persii Sat. ii. v. 69) Ego autem dico : *Dicite pauperes,—si tamen pauperes, in sancto quid facit aurum ?* Et quidem alia causa est Episcoporum, alia Monachorum. Scimus namque, quod illi sapientibus et insipientibus debitores cum sint, carnalis populi devotionem, quia spiritualibus non possunt, corporalibus excitant ornata.

chapters and regular monastic visitation in the Cistercian or-

mentis. Nos vero, qui jam de populo exivimus, qui mundi quaeque pretiosa ac speciosa pro Christo reliquimus, qui omnia pulchre lucentia, canore mulcentia, suave olentia, dulce sapientia, tactu placentia, cuncta denique oblectamenta corporea arbitrati sumus ut ster-
cora, ut Christum lucrifaciamus : quorum, quaequo, in his devotionem excitare intendimus ?—Et ut aperte loquar, an hoc totum facit avaritia, quae est idolorum servitus, et non requirimus fructum, sed datum ? Si quaeris, quomodo ? miro, inquam, modo. Tali quadam arte spargitur aes, ut multiphetur. Ipsa quippe visu sumptuosarum, sed miran-
darum vanitatum accenduntur homines magis ad offerendum, quam ad orandum. — Auro tectis reliqui saginantur oculi, et loculi aperiuntur. Ostenditur pulcherrima forma Sancti vel Sanctae alicujus, et eo creditur sanctior, quo coloratur. Currunt homines ad osculandum, invitantur ad donandum, et magis mirantur pulchra, quam venerantur sacra. — Quid putas, in his omnibus quaeritur ? poenitentium compunctio, an intuentum admiratio ? O vanitas vanitatum, sed non vanior quam insanior ! Bernard declares himself just as strongly against the exemption of monasteries from episcopal jurisdiction, thus above, note 15, while all Cluniac monasteries were exempted.—Compare the letters of Petrus venerabilis, abbot of Cluny (from 1122 to 1156), to Bernard, Epistoll. lib. i. ep. 28 (Bibl. Patr. Lugd. xxii. 841). He first enumerates the charges of the Cistercians against the order of Cluny : Objiciunt itaque nostris quidam uestrorum : non, inquit, vos Regu-
lam—sequimini,—Patrum praecepta pro uestris traditionibus abjicitis.—In suscipiendis novitiis quomodo Regulam servatis, cum non nisi post annum—eos suscipi praecepit : vos autem ipso quo adveniunt, ut ita loquamur, momento—eos suscipiatis ?—Usum quoque pelliciarum, diversarum pellium qua auctoritate vobis defenditis, cum in eadem Regula nihil de hujusmodi reperiatur ? Among the many other charges these are remarkable : Opus manuum, quo ss. Patres eremita et antiqui monachi semper usi sunt, — ab-
jecistis.—Contra totius orbis morem proprium Episcopum habere refutis.—Ecclesiarum parochialium, primitiarum et decinarum possessiones quae ratio vobis contulit : cum haec omnia non ad monachos, sed ad clericos canonica sanctione pertineant ?—Sed et de saecularibus possessionibus, a vobis more saecularium possessis, quid respondebitis ? Nam castra, villas et rusticos, servos et ancillas, et, quod deterius est, telonearia lucra, et fere cuncta hujusmodi emolumenta indifferenter suscipitis, — contra infestantes modis omnibus defenditis. On the other side, the monks of Cluny answer : O, o Pharisaeorum novum genus, rursus mundo redditum ! qui se a caeteris dividentes, omnibus praeferen-
tes, dicunt, quod Propheta dicturos eos praedixit : *Noli me tangere, quoniam mundus ego sum.*—Et vos sancti, vos singulares, vos in universo orbe vere monachi, aliis omnibus falsis et perditis, — solos vos inter omnes constituitis : unde et habitum insoliti coloris praetenditis, et ad distinctionem cunctorum totius fere mundi monachorum inter nigros vos candidos ostentatis. Et certe haec vestium nigredo, antiquitus hunilitatis causa a Patribus inventa, cum a vobis rejicitur, meliores vos ipsis candorem inusitatum praefe-
rendo judicatis. Then comes a detailed reply to the accusations of the Cistercians ; and at last the charge : Nonne animarum salutem, atque idcirco charitatem negligitis, quando fratribus necessaria negatis, quando eos frigore, usu pellicearum negato, affligitis, quando hac violentia (nam multi uestrum hoc inviti sustinent) eos vel ad murmurationem, vel ad fugam compellitis ? Sed et si sunt aliqui, qui hoc quoquomodo sustineant, procedente tempore, corrupto corpore morbis, sanitatem frigore perdunt, et languidi saepe perpetuo facti, Deo servire nequeunt. Peter concludes with the declaration : Haec tibi, frater ca-
rissime,—scripsi : in quibus aliorum verbis meum quoque intellectum expressi. Another letter from Peter to Bernard, lib. iv. epist. 17 (found also among Bernard's letters, as epist. 229), contains a heartfelt recommendation of harmony and love, and investigates the causes of disunion between the two orders. Among others : Fortassis uestes istae coloris diversi incentivum discordiae praestant, et multiformis varietas uestium varietatem quoque parit et mentium. Nam, ut paene assidue cerno, et omnibus ipsis quoque negligenter intuentibus advertere perfacile est, niger, ut sic dicam, Monachus album fortuitu oc-
currentem obliquo sidere respicit : albus nigrum vix media oculi parte, et quando se in-

der²² seemed so advantageous to discipline, that Innocent III. established them by law in all orders.²³ However, soon after Bernard's time, the Cistercians also sank under the common destiny of every order; they also quickly contracted a relish for earthly wealth,²⁴ and struggled like other monks for empty ostentation and ecclesiastical independence.²⁵ At the Council of Vienne

gerit, contuetur, etc. He represents the monk of Cluny as saying : *Quis pati potest novos homines veteribus anteferri, eorum studia nostrorum actibus paeponi, nostros viliiores, illos cariores videri? Quis aequo oculo aspicere potest, mundum ex plurima sui parte a nostro veteri Ordine averti, ad ipsorum novum propositum converti : relinqu tritas a saeculis vias, concursus fieri ad ignotas haetenus semitas?* *Quis patiatur, novos veteribus, juniores senioribus, albos nigris monachis anteferri?* *Hoc tu, inquam, niger dicis. Sed tu, albe, quid proponis?* Felices nos, inquis, quos longe probabilius institutio commendat, quos beatiores alis monachis mundus praedicat, quorum opinio aliorum existimationem, quorum dies aliorum lucernam, quorum sol aliorum sidus obscurat. Nos religionis perdite restauratores, nos emortui Ordinis resuscitatores, nos languentium, tepentium, sordentium monachorum justissimi condemnatores. Nos moribus, nos actibus, nos usibus, nos vestibus a caeteris divisi, et veterum teorem ostentui fecimus, et novum nostrorum fervorem paeccellere approbamus. Cf. Petri ven. lib. vi. ep. 4 ad Bernardum, and ep. 15 ad Piores Ord. Cluniacensis. That the disunion of the two orders still continued after the death of these venerable chiefs, is proved by the work of a German Cistercian against the monks of Cluny : *Dialogus inter Cluniac. Monachum et Cistere. de diversis utriusque Ordinis observantiis*, written between 1153 and 1173 (in Martene thesaur. v. 1569).

²² See above, note 19, 4.

²³ Conc. Lateran. IV. ann. 1215, c. 12 : In singulis regnis sive provinciis fiat de trienio in triennium, salvo jure dioecesanorum Pontificum, commune capitulum Abbatum atque Priorum Abbates proprios non habentium.—Advocent autem caritative in hujus novitatis primordiis duos Cisterciensis Ordinis Abbates vicinos, ad praestandum sibi consilium et auxilium opportunum, cum sint in hujusmodi capitulis celebrandis ex longa consuetudine plenus informati.—Hujusmodi vero capitulum aliquot certis diebus continue juxta morem Cisterciensis Ordinis celebretur, in quo diligens habeatur tractatus de reformatione Ordinis, et observatione regulari : et quod statutum fuerit, ab omnibus inviolabiliter obseretur, etc. Ordinentur etiam in eodem capitulo religiosae ac circumspectae personae, quae singulas abbatias—vice nostra studeant visitare, corrigentes et reformantes, quae correctionis et reformationis officio viderint indigere, etc.

²⁴ Alexandri III. ep. ad Abbates Cistere. (1171 in Manrique annal. Cistere. ii. 520. Decr. Greg. III. xxxv. 3) : dolentes dicimus, quod etsi non ab omnibus,—a plerisque tamen—ab illa sancta institutione dicitur declinatum, in tantum, ut aliqui ex vobis, primae institutionis oblitii—contra Ordinis vestri Regulam villas, molendina, ecclesias, et altaria possident, fidelitates et hominia benigne suscipiunt, justitiarios et tributarios tenent, et omne studium adhibent, ut termini eorum dilatentur in terris, quorum conversatio in caelis debet esse, etc. Compare Hurter, iv. 186. •

²⁵ After that spiritual jurisdiction over its own members had been granted to the order, Alexander III., in 1162, assigned to it the same power over its tenants (firmarios) and dependents (Manrique Cistere. annal. i. 357). Statuta capitulo gen. Cistere. ann. 1257 (Martene thes. anecdote. iv. 1407) : Ad preces et admonitionem sanctissimi patris nostri summi Pontificis, qui super hoc scripsit Capitulo generali, statuitur, ut Abbatibus liceat uti cappis in omnibus solemnitatibus, quibus fit processio, quoties etiam albis induuntur et portant baculum pastorale, necnon et altaris ministris uti dalmatica et tunica, Abbatie duntaxat celebrante. Clement IV. even writes to the Cistercian abbot of Casa Dei (Launoji opp. v. i. 263), decessores suos monasteriis dedisse privilegia juri divino contra-

(1311), it was even a Cistercian abbot who pleaded for the exemption of monasteries.²⁶

Since the multifariousness of monastic brotherhoods had already produced many hazardous results,²⁷ Innocent III. forbade the foundation of new orders.²⁸

ria et humano, quae rationabiliter annullare se posse, and adds to this: Et quamvis nostris praedecessoribus, prout necessitas exigit, geramus honorem, multa tamen eorum aliquibus placuerunt, quae nobis imparis meriti et scientiae nulla possent ratione placere.

²⁶ The Archbishop of Bourges Aegidius Romanus (see § 59, note 36), had written a tract. adv. exemptos, *Guil. Durantis tract. de modo celebrandi generalis concilii* (see § 62, note 28), proposing the abolition of exemptions. On the other hand, now wrote Jacobus Abb. Cisterc. Ord. Silvanectensis dioecesis lib. contra impugnantes exemptionem, which Raynald. ad ann. 1312, no. 24, gives in extracts. This Cistercian sets aside St. Bernard easily: Nec repugnant praedictis dieta Bernardi in epistola ad Henricum Senonensem Archiepiscopum et in libro de consideratione ad Eugenium Papam (see above, note 15), quia ibi loquitur per comparationem ad finem per accidens in Ordine ad abutentes, et supposito bono regime Praelatorum.

²⁷ Anselmus Havelbergensis Episc. dialogorum (written 1145) lib. i. cap. 1 (in d'Achery spicileg. i. 163): Solent plerique mirari et in quaestionem ponere, et interrogando non solum sibi, verum etiam aliis scandalum generare. dicunt enim, et tanquam calumniosi inquisitores interrogant: quare tot novitates in Ecclesia Dei fiunt? quare tot Ordines in ea surgunt? quis numerare queat tot Ordines Clericorum? quis non admiretur tot genera Monachorum? quis denique non scandalizetur, et inter tot et tam diversas formas religionum invicem discrepantium taedioso non afficiatur scandalo? Quinimo quis non contemnat christianam religionem, tot varietatibus subjectam, tot adinventionibus immutatam, tot novis legibus et consuetudinibus agitatam, tot regulis et moribus fere annuatim innovatis fluctuantem? Quod modo, inquiunt, a quibusdam propter regnum caelorum praecepitur, hoc statim ab eisdem, seu ab aliis propter regnum caelorum prohibetur: quod modo tanquam sacrilegum inhibetur, subito tanquam sanctum et salubre conceditur. Tales, cum otiosi sunt, inducunt quaestiones, et corda simplicium pervertunt, dicentes, omnem religionem tanto esse contemtibiliorem, quanto mobiliorem. Quod enim, inquiunt, est tam mobile, tam variabile, tam instabile, quomodo alicui sapientum digne potest esse admirabile? propria quippe sua varietate probat se respuendum esse. Ecce videmus in Ecclesia Dei, ut ajunt, quosdam emergere, qui pro libitu suo insolito habitu induuntur, novum vivendi ordinem sibi eligunt, et sive sub monasticae professionis titulo, sive sub canonicæ disciplinae voto, quidquid volunt, sibi assumunt, novum psallendi sibi adveniunt, novum abstinentiae modum, et metas cibariorum statuunt, et nec Monachos, qui sub Regula b. Benedicti militant, nec Canonicos, qui sub Regula b. Augustini apostolicam vitam gerunt, imitantur: sed omnia, sicut dictum est, pro libitu suo nova facientes, ipsi sibi sunt lex, ipsi sibi sunt auctoritas, et quos possunt, in suam societatem sub praetextu novae religionis colligunt. Et in hoc religiosiores videri putantur, si ab omni religiosorum habitu et disciplina sequestrati inveniantur, et tanquam p[re]caeteris notabiles digito demonstrentur. Haec et his similia dicunt, et crebris quaestionibus alios inquietant.

²⁸ Conc. Lateran. iv. ann. 1215, c. 13: Ne nimia religionum diversitas gravem in Ecclesia Dei confusionem inducat, firmiter prohibemus, ne quis de cactero novam religionem inveniat: sed quicunque voluerit ad religionem converti, unam de approbatis assumat.

§ 68.

RISE OF THE MENDICANT ORDERS.

Scarcely was that law issued, when the Popes found themselves already induced to grant exceptions from its operation in favor of a new kind of monks, which promised fresh advantages of a peculiar kind to the Roman See.

Hitherto monks had been in theory penitents separated from the world; they renounced all sympathy with the world and all influence over its affairs.¹ Still, their pretended apostolical life was not only generally regarded with suspicion at this time, but a new idea of apostolical life, as consisting in an activity which renounced all enjoyment, and consecrated itself singly to the preaching of the Gospel, was displayed, especially by the Waldenses, and made a deep impression on the people. While the founders of the new orders made themselves masters of the idea there put forth, they succeeded in banishing its spirit of hostility to the Church, as well as in securing for their orders an influence and an energy such as no monastic society had ever before achieved.²

¹ For this reason parochial work also was forbidden them, Conc. Pictav. ann. 1100, c. 11. Ut nullus monachorum parochiale ministerium Presbyterorum, id est, baptizare, praedicare, poenitentiam dare, praesumat. Calixtus II. in Conc. Lateran. I. ann. 1123, c. 17: Interdicimus Abbatibus et monachis publicas poenitentias dare, et infirmos visitare et unctiones facere, et Missas publicas cantare.

² Chron. Ursperg. ad ann. 1212 (ed. Argentor. 1609, p. 243): Eo tempore, mundo jam senescente, exortae sunt due religiones in Ecclesia, cuius ut aquilae renovatur juventus, quae etiam a sede apostolica sunt confirmatae, videlicet *Minorum fratrum et Praedicatorum*. Quae forte hac occasione sunt approbatae, quia olim duas sectas in Italia exortae adhuc perdurant, quorum alii *humiliatos*, alii *pauperes de Lugduno* se nominabant. Quos Lucius Papa quondam inter haereticos scribebat, eo quod superstitionis dogmata et observationes in eis reperirentur. In occultis quoque praedicationibus, quas faciebant, plerumque in latibus Ecclesiae Dei et sacerdotio derogabatur. Vidi mus tunc temporis aliquos de numero eorum, qui dicebantur *pauperes de Lugduno*, apud sedem apostolicam cum magistro suo quodam, ut puto *Bernardo*, et hi petebant sectam suam a sede apostolica confirmari et privilegiari. Sane ipsi dicentes, se gerere vitam Apostolorum, nihil volentes possidere aut certum locum habere, circuibant per vicos et castella. Ast dominus Papa quaedam superstitionis in conversatione ipsorum eisdem objecit, videlicet quod calceos desuper pedem praeceidebant, et quasi nudis pedibus ambulabant. Praeterea cum portarent quasdam cappas, quasi religionis, capillos capitis non attondebant, nisi sicut laici. Hoc quoque probrosum in eis videbatur, quod viri et mulieres simul ambulabant in via, et plerumque simul manebant in una domo, et de eis diceretur, quod quandoque simul in lectulis accubabant. Quae tamen omnia ipsi asserebant ab Apostolis descendedisse. Caeterum dominus Papa in loco eorum exsurgentibus quosdam alios, qui se appellabant *pauperes minores*, confirmavit, qui praedicta superstitionis et probrosa respuebant,

From the year 1207 Francis of Assisi³ first began to gather round him a society, in a church of the Virgin at Portiuncula, in order to reproduce such an Apostolic life and labor in the strictest obedience to the Apostolic See.⁴ His enthusiastic devotion ex-

sed praecise nudis pedibus tam aestate quam hieme ambulabant, et neque pecuniam neque quicquam aliud praeter victum accipiebant, et si quando vestem necessariam quisquam ipsis sponte conserbat: non enim quicquam petebant ab aliquo. Hi tamen postea attentes, quod nonnunquam nimiae humilitatis nomen gloriationem importet, et de nomine paupertatis, cum multi eam frustra sustineant apud deum, vanius inde gloriantur, maluerunt appellari *minores fratres*, quam *minores pauperes*, apostolicae sedi in omnibus obedientes. Alii, videlicet *Praedicatori*, in locum *humiliatorum* successisse creduntur. *Humiliati* quippe, nulla habita auctoritate aut licentia Praelatorum mittentes falcem in messem alienam populis praedicabant, et vitam eorum plerunque regere satagebant, et confessiones audire, et ministeriis sacerdotum derogare. Quae volens corrigeri Papa Ordinem *Praedicatorum* instituit et confirmavit. Illi quippe rudes et illiterati cum essent, operibus manuum instabant et praedicabant, accipientes necessaria a suis credentibus. Iste vero studio et lectioni sacrae Scripturae jugiter insistentes, tantum in scribendo libros opus faciebant, et eos diligentissime a magistris suis audiebant, ut cum sagittis et arcu et omni armatura fortium possent ingredi et stare pro defensione sanctae matris Ecclesiae, et ex adverso adscendere, et ponere se murum pro domo Israel, dum fidem roborant, virtutes instruant, statuta Ecclesiae docent et collaudant, vicia hominum et pravitates redargunt et castigant. Nihilominus sedi apostolicae in omnibus obedient, a qua auctoritatem praecipuan trahunt. True the distinction between *Humiliati* and *Pauperes* de Lugduno rose from a misunderstanding of a decree of Lucius, see below, § 86, note 6, and the Bernard here mentioned was a chief of the *Pauperes catholici*, see § 88, note 26. But the leading idea of the passage, that the mendicant orders formed themselves in opposition to the *Waldenses*, is quite right.

³ Among the numerous biographies of him, the most important are that by Thomas de Celano, a companion of the saint, written about 1229 at the command of Gregory IX. (prim. ed. in act. SS. Octobr. ii. 683), the completion of by the *three associates*, namely, Leo, An-gelus and Ruffinus, written in 1246 (prim. ed. l. c. p. 723), and the Legend by Bonaventura in 1261, drawn from the earlier lives, and afterward used exclusively in the order (l. c. p. 742, ss.). Cf. acta SS. Octobr. ii. 545, ad. d. 4th Oct. Pragm. Gesch. d. vornehmsten Monchsorden, ii. 209. Hurter's Innocenz III. iv. 239.—Luc. Waddingi annales Minorum s. trium Ordinum, a s. Francisco institutorum, Lugd. 1625-1654. Tomi viii. fol. (they go down to 1540). The new edition, greatly enlarged, was published at Rome 1731-1741, Tomi xix. fol. reaches down to 1564. [Cf. Bohringer, Kirchengesch. in Biographien, 2. 2; Stephens's Essays, vol. i.; Life of St. Francis, T. Richardson, 2. 8. London, 1854; Chavin de Malan, Histoire de St. F., 4th ed. Paris, 1855; F. Morin, St. F. d'Assisi, Paris, 1853; K. Hase, Franz von Assisi, 8. Leipz. 1856.]

⁴ Thomas Celanus in vita Francisci, lib. i. c. 3, § 22: Sed cum die quadam Evangelium, qualiter Dominus miserit discipulos suos ad praedicandum, in eadem ecclesia [b. Mariæ Virg. in Portiuncula] legeretur, et Sanctus Dei assistens ibidem verba evangelica intellexisset, celebratis Missarum solemnitiis, a sacerdote sibi exponi Evangelium supplex ceteri postulavit. Qui cum ei cuncta enarrasset, audiens s. Franciscus, discipulos non debere aurum, sive argentum, vel pecuniam possidere, non peram, non sacculum, non panem, non virgam in via portare, non calceamenta, non duas tunicas habere, sed regnum Dei et poenitentiam praedicare: continuo exultans in Spiritu Dei, hoc est, inquit, quod volo; hoc est, quod quaero; hoc totis medullis cordis facere concupisco. Festinat proinde Pater sanctus, superabundans gaudio, ad impletionem salutaris auditus.—Solvit protinus calceamenta de pedibus, baculum deponit e manibus, etc.—Cap. 4, § 23: Exinde cum magno fervore spiritus et gaudio mentis coepit omnibus poenitentiam praedicare, verbo simplici, sed corde magnifico aedificans audientes. Erat verbum ejus velut ignis ar-

pressed itself at the same time in an ascetic life, rejecting all earthly possessions, enjoyments, and knowledge, regarding no considerations, not even those of customary propriety; and also in powerful exhortations to penitence and love. And if the former course passed at first for frenzy, still it quickly received another significance from the overpowering impression which his simple forcible preaching made upon an age stiffening under the influence of a mechanical Church. Men felt that with Francis a new and powerful energy had come into operation in the Church, and he became the object of an almost idolatrous veneration.⁵ Provisionally sanctioned by Innocent III. in 1209, and solemnly established by Honorius III. in 1223,⁶ the order (*ordo fratrum ministrorum*) penetrauit intima cordium. Et omnium mentes admiratione replebat. Toton alter videbatur, quam fuerat, et caelum intuens, dignabatur respicere terram, § 29: After he had gathered eight disciples, tunc b. Franciscus omnes ad se convocavit, et plura eis de regno Dei, de contemptu mundi, de abnegatione propriae voluntatis et proprii corporis subjectione pronuncians, binos illos in partes quatuor segregavit, et ait ad eos: Ite cautissimi, bini et bini per diversas partes orbis, annunciantes pacem hominibus, et poenitentiam in remissionem peccatorum. Et estote patientes in tribulatione, securi, quia propositum suum et promissum Deus adimplebit. Interrogantibus humiliter respondete, persequentibus benedicite, vobis injuriantibus et calumniam referentibus gratias agite; et pro his regnum vobis paratur aeternum.

⁵ Thomas Celanus, lib. i. c. 8, § 62: Tanta erat fides virorum et mulierum, tanta mentis devotione erga Sanctum Dei, ut felicem se pronunciaret, qui saltem vestimentum ejus contingere potuisset. Ingrediente ipso civitatem laetabatur clerus, pulsabantur campanae, exultabant viri, congaudebant foeminae, applaudebant pueri, et saepe ramis arborum sumptis psallentes ei obviam procedebant. Confundebatur haeretica pravitas, extollebatur fides Ecclesiae, et fidelibus vigilantibus haeretici latitabant.—Inter omnia et super omnia fidem s. Romanae Ecclesiae servandam, venerandam et imitandam fore censebat, in qua sola salus consistit omnium salvandorum.

⁶ Regula Francisci in Holstenius-Brockie, iii. 30. Pragm. Gesch. iii. 227. Cap. 1: Regula et vita Fratrum Minorum haec est, scil. Domini nostri Jesu Christi sanctum Evangelium observare, vivendo in obedientia, sine proprio, et in castitate. Frater Franciscus promittit obedientiam et reverentiam domino Papae Honorio ac successoribus ejus canonice intrantibus et Ecclesiae Romanae. Et alii Fratres teneantur Fratri Francisco et ejus successoribus obediens. Cap. 4: Praecipio firmiter Fratribus universis, ut nullo modo denarios vel pecuniam recipient, vel per se, vel per interpositam personam. Cap. 6: Fratres nihil sibi approprient, nec domum, nec locum, nec aliquam rem. Sed tanquam peregrini et advenae in hoc saeculo, in paupertate et humilitate Domino famulantes, vadant pro eleemosyna confidenter. Nec oportet eos verecundari, quia Dominus pro nobis se fecit pauperem in hoc mundo. Haec est illa celsitudo altissimae paupertatis, quae vos carissimos Fratres meos haeredes et reges regni caelorum instituit, pauperes rebus fecit, virtutibus autem sublimavit. Haec sit portio vestra, quae perducit in terram viventium. Cap. 9: Fratres non praedicent in Episcopatu alicujus Episcopi, cum ab eo illis fuerit contradictum.—From the will of St. Francis (see Wadding ad ann. 1226, no. 36. Acta ss. l. c. p. 663) the following remarkable passage is taken:—Praecipio firmiter per obedientiam fratribus universis, quod, ubicumque sunt, non audeant petere aliquam literam in curia Romana per se, nec per interpositam personam, nec pro ecclesia, nec pro alio loco, neque sub specie praedicationis, neque pro persecutione suorum corporum: sed ubicumque non fuerint recepti, fugiant ad aliam terram, ad faciendum poenitentiam, cum

rum) was, at the time of Francis's death († 4th October, 1226), already increased to many thousands.⁷ Along with this, from the year 1212, there grew up the female order of the Clarissines (*ordo s. Clarae*), which in 1224 received its rule from Francis.⁸ But the *Tertius Ordo de poenitentia* (*Tertiarii or Fratres conversi*),⁹ in benedictione Dei.—Et omnibus fratribus meis, clericis et laicis, praecipio firmiter per obedientiam, ut non mittant glossas in regula, nec in istis verbis [i. e. in testamento] dicendo: Ita voluit intelligi. Sed sicut dedit mihi Dominus pure et simpliciter dicere, et scribere regulam et ista verba, ita simpliciter et pure sine glossa intelligatis, et cum sancta operatione usque in finem observetis.—The superiors of the order were called *Ministri*, namely, *Custodes* (wardens), *Ministri provinciales*, *Minister generalis*. Every three years there was a *Capitulum generale*.

⁷ About this time, writes Jacobus de Vitriaco histor. occident. c. 32: Praedictis tribus, Eremitarum, Monachorum et Canonicorum religionibus, ut regulariter viventium quadratura fundamenti in soliditate sua firma subsisteret, addidit Dominus in diebus istis quartam religionis institutionem, Ordinis decorem et Regulae sanctitatem. Si tamen Ecclesiae primitivae statum et ordinem diligenter attendamus, non tam novam addidit regulam, quam veterem renovavit, relevavit jacentem, et paene mortuam suscitavit religionem in vespere mundi tendentis ad occasum, imminente tempore filii perditionis, ut contra Antichristi periculosa tempora novos athletas præpararet, et Ecclesiam præmunitendo fulciret. Haec est religio vere pauperum Crucifixi, et Ordo Praedicatorum, quos fratres Minores appellamus, vere Minores, et omnibus hujus temporis Regularibus in habitu et nuditate et mundi contemptu humiliores.—Regulam autem ipsorum dominus Papa confirmavit, et eis auctoritatem prædicandi, ad quascunque veniunt ecclesias, concessit; Praelatorum tamen loci ob reverentiam requisito consensu. Mittuntur autem bini ad prædicandum, tanquam ante faciem Domini, et ante secundum ejus adventum. Ipsi autem Christi pauperes neque saccum in via portant, neque peram, neque panem,—neque calciamenta in pedibus suis habentes: nulli enim hujus Ordinis fratri licet aliquid possidere. Non habent monasteria vel ecclesias, non agros vel vineas vel animalia, non domos vel alias possessiones, neque ubi caput reclinent. Non utuntur pellibus, neque lineis, sed tantummodo tunicis laneis caputiatis; non cappis, vel palliis, vel eucullis, neque aliis prorsus induunt vestimentis. Si quis eos ad prandium vocaverit, manducant et bibunt, quae apud illos sunt. Si quis eis aliquid misericorditer contulerit, non reservant in posterum.—Non solum autem prædicatione, sed et exemplo vitae sanctae et conversationis perfectae multos, non solum inferioris ordinis homines, sed generosos et nobiles ad mundi contemptum invitant: qui, relictis oppidis et casalibus et amplissimis possessionibus, temporales divitias et spirituales felici commercio commutantes, habitum fratum Mino rum, i. e. tunicam vilis pretii, qua induuntur, et funem, quo accinguntur, assumpserunt. Tempore enim modico adeo multiplicati sunt, quod non est aliqua Christianorum provincia, in qua aliquos de fratribus suis non habeant;—praesertim cum nulli ad religionem suam transeunt gremium claudant, nisi forte matrimonio vel aliqua religione fuerit obligatus.—Alios autem omnes in amplitudine religionis sua tanto confidentius—suscipiunt, quanto divinae munificentiae et providentiae sese committentes, unde eos Dominus sustentare debeat, non formidant. Ipsi enim funiculum cum tunica venientibus ad se largentes, quod reliquum est, supernae procurationi relinquunt.

⁸ See this in Holstenius-Brockie, iii. 34. Pragm. Gesch. iii. 261.

⁹ Bonaventura in vita Franc. c. 4: Nam prædicationis ipsius fervore succensi quam plurimi utriusque sexus in conjugali pudicitia Domino famulantes secundum formam a Dei viro acceptam, novis se poenitentiae legibus vinciebant, quorum vivendi modum idem Christi famulus Ordinem Fratrum de poenitentia nominari decrevit. Nimurum sicut in caelum tendentibus poenitentiae viam omnibus constat esse communem, sic et hic status clericos et laicos, virgines et conjugatos in utroque sexu admittens, quanti sit apud Deum mcriti, ex pluribus per aliquos ipsorum patratis miraculis innotescit. The rule is

stituted by Francis in 1221 for secular persons, was of the greatest importance in promoting the efficacy of the Franciscans.

At the same time with Francis, Dominick,¹⁰ a canon of Osma, engaged since 1205 in the conversion of the Albigenses, founded a monastic brotherhood for this purpose at Toulouse. To this he gave, besides the *Regula s. Augustini*, which was assigned to him by Innocent III., peculiar ordinances of his own.¹¹ By means of the Papal sanction, obtained from Honorius III. in 1216, he raised it to a separate order (*fratres Praedicatorum*);¹² and at length adopted for it, in the first general chapter held at Bologna in 1220, Francis's fundamental maxim of evangelical poverty.¹³

Next to these first two mendicant orders came afterward (1245)

in Holstenius-Brockie, iii. 39. *Pragm. Gesch.* iii. 287. Afterward there grew up monasteries for Tertiaries (*Tert. regulares*) who adopted more severe rules. The first that is known rose in 1287, at Toulouse, *Pragm. Gesch.* iii. 299

¹⁰ Among the many lives of Dominick, the oldest is by Jordanus, the successor of the saint in the generalship of the order (in the *Act. ss. August. 1. 545. ad d. 4. Aug.*); then there is that in use in the order, written about 1254 by Humbertus de Romanis, fifth general of the order. *Pragm. Gesch.* viii. 1. Hurter, iv. 282. — *Annales Ordinis Praedicatorum* (by Th. M. Mamachius, etc.). Romae, vol. i. 1746. fol.

[Lacordaire, *Vie de St. Dominique*. Paris, 1840; G. Caro, *St. Domin. et les Dominicains*, Par. 1853; Rule, the Brand of St. Domin. N. Y. 1852.]

¹¹ The Constitutions fratrum ord. Praedicatorum (in Holstenius-Brockie, iv. 10) are collected from the decrees of several general chapters by Raymundus de Pennafort, the third general of the order. There, in the prolog. c. 3: *Ordo noster specialiter ob praedicationem et animarum salutem ab initio noscitur institutus fuisse, et studium nostrum ad hoc debet principaliter intendere, ut proximorum animabus possimus utiles esse.* The chiefs of the order are called priors, partly *Priores conventuales*, partly provinciales. The general of the order was called *Magister Ordinis*. Every three years was a *Capitulum generale*.

¹² The Bull is in the Preface to the Constitutions: Honorius—Dominico, etc. *Nos attendentes fratres Ordinis tui futuros pugiles fidei, et vera mundi lumina, confirmamus Ordinem tuum cum omnibus castris et possessionibus habitis et habendis, et ipsum Ordinem ejusque possessiones et jura sub nostra gubernatione et protectione suscipimus.*

¹³ Jordanus in *vita s. Dominici* cap. 4: *Tunc etiam ordinatum est ne possessiones vel redditus de caetero tenerent fratres nostri; sed et iis renunciant, quos habuerant in partibus Tholosanis.* The Dominicans in Toulouse resisted this decree at the first, see *Act. ss. l. c. p. 494.* — Constantinus Episc. Urbevetanus, who wrote between the years 1242 and 1247 a life of Dominick, records in no. 45 of the sayings of the saint on his death-bed *Illud vero qua potuit districione prohibuit, ne quis umquam in suo Ordine possessiones induceret temporales, maledictionem Dei omnipotentis et suam terribiliter imprecans ei, qui Praedicatorum Ordinem, quem praecepit paupertatis decorat professio, terenae substantiae veneno respurgere laboraret.* Against the later Dominicans, who would have this to be a forgery, see *Act. ss. l. c. p. 518.* — In the constitut. Fratr. Praedicatorum dist. ii. cap. 1. constit. 3, the following passage is to be found on this head: *Mediocres domos et humiles fratres nostri habeant: nec fiant, aut permittantur fieri in domibus nostris curiositates et superfluitates notabiles in sculpturis, picturis, pavimentis et aliis similibus, quae paupertatem nostram deformant.* In Ecclesiis tamen permitti poterunt. *Si quis vero contra fecerit, poenae graviori culpae debitae subjacebit.* Item possessiones, seu redditus nullo modo recipiantur, nec Ecclesiae, quibus animarum cura sit annexa.

the Carmelite order, transplanted to Europe in 1238,¹⁴ and the Augustine-Eremites (*Eremitae s. Augustini*, 1256).¹⁵ After the example of the Franciscans, the rest of the mendicants gradually established Tertiaries.¹⁶ Further multiplication of these new monastic families was indeed forbidden by Gregory X.;¹⁷ however, soon after, the Servites (*Servi b. Mariae Virginis*), who had grown up in Florence since the year 1233, and observed the rule of S. Augustine, must be recognized as a separate mendicant order.¹⁸

§ 69.

ACTIVITY OF THE MENDICANT ORDERS.

The peculiar constitution of these new orders made them most appropriate tools for the Popes to work upon the people in masses. For this reason they were soon endowed with rich privileges,¹ but

¹⁴ Already in the year 1226, Honorius III. seems to have issued the Bull *Ex Officii nostri* (see *Bullarium Carmelitanum*, Romac, 1715 ss. fol. P. i. p. 4), which afterward must have been repeated word for word by Innocent IV. in the year 1245 (l. c. p. 5), in which the Carmelites were forbidden, ne in proprietatem eremii vestrae loca, vel possessiones, seu domos, aut redditus alios recipiatis ullo modo, vel praesumatis habere, praeter asinos masculos, et aliquod animalium seu volatilium nutrimentum. By the Bull *Quae honorem* in 1248 (l. c. p. 8), Innocent IV. somewhat modified Albert's rule (see above, § 67, note 6).

¹⁵ They sprung from the union of many Coenobite establishments in Italy, which Alexander IV. brought about in 1256 by the Bull *Licet ecclesiae* (in *Bullar. Rom. no. vi.*). In the same Bull, § 6: *Vos universos et successores vestros a baculis vel ferulis deportandis, et quod non cogamini ad recipiendas possessiones alias vel habendas, decernens perpetuo liberos et exemptos.*

¹⁶ The Fratres et Sorores de poenitentiâ s. Dominici took their rise from the Fratres de militiâ Jesu Christi (see above, § 72, note 17), already existing under the guidance of the Dominicans (see a testimony of the year 1320 in the *Istoria de Cavalieri Gaudenti* di F. D. M. Federici vol. ii. Cod. diplom. p. 91, and Raymundus Capuanus, general of the Dominicans after 1380, in his *vita Catharinae Senensis*, c. 8, Act. ss. April. iii. 871 s.), and received a Rule in 1285 from Munione, the Dominican general (in Federici l. c. p. 28 ss.). Comp. Act. ss. August. i. 418. Federici l. c. ii. 108.—The Augustines first received in 1401 from Boniface IX. (*Pragm. Gesch. vi.* 67), the Servi in 1424 from Martin V., the Carmelites in 1476 from Sixtus IV. the confirmation of their tertiary orders.

¹⁷ Conc. Lugdun. ann. 1274, c. 23.

¹⁸ Thus by John XXI. in 1277, by Benedict XI. in 1304, see A. Gianii annal. Ord. Fratrum servorum b. M. V. ed. 2, opera A. M. Garpii, Lucae, 1719. 3 T. fol.

¹ Emm. Roderici nova collectio privilegiorum apostolicorum Regularium mendicantium et non mendicantium. Edit. nova Antwerp. 1623. fol. For instance, p. 11, Gregory IX. in 1237 to all Prelates (also in Matth. Paris, ann. 1246, p. 693 s.): *Quoniam abundavit iniqitas, et refixit caritas plurimorum, sacrum Ordinem dilectorum fratrum Minorum Dominus suscitavit, qui non quae sua, sed quae sunt Christi quaerentes, tam contra profugandas haereses, quam contra pester alias mortiferas extirpandas, se dedicaverunt evangelizationi Verbi Dei in abjectione voluntariae paupertatis.* Then comes the charge, quatenus filios fratres ejusdem Ordinis memorati, pro reverentia divina et nostra, ad of-

for this reason also the original spirit quickly yielded, in many members, to the worldly policy of the Papacy. The mendicant orders now came forward as the Pope's favored clergy, in opposition to the episcopal clergy; they appropriated the spiritual offices of the latter more and more to themselves,² without being ficium praedicandi, ad quod sunt ex professione sui Ordinis deputati, benigne recipere procuretis; ac populos vobis commissos, ut ex ore ipsorum Verbi Dei semen devote suscipiant, admonentes, etiam in suis necessitatibus personaliter assistatis; nec impediatis, quo minus illi, qui ad praedicationem eorum accesserunt, tunc eorum sacerdotibus valeant confiteri, etc. Idem, 1240, p. 7, ut nullus ex Praelatis a fratribus Minoribus obedientiam manualem praesumat exigere. Innocentius IV., 1249, p. 15, to the Minorites: sepulturam ecclesiarum vestrarum liberam esse decernimus, ut eorum devotioni, et extremae voluntati, qui se illic sepeliri deliberaverint, nullus obsistat.

² The feeling of the rest of the clergy declares itself very strongly against them in the prophecy of St. Hildegard, abbess of Bingen († 1179), which was forged before the time of Matth. Paris (Engelhardt observatt. de prophetia in fratres Minores s. Hildegardi falso adscripta, Erlanger Osterprogr. 1833), according to the shorter form in Bzovii annal. ad ann. 1415 (there is a longer one in Flacii catal. test. ver. p. 652): *Insurgent gentes, quae comedent peccata populi, tenentes ordinem mendicium, ambulantes sine rubore, invenientes nova mala, ut a sapientibus et Christifidelibus ordo perversus maledicatur. Sed Diabolus radicabit in eis quatuor vitia: scilicet adulacionem, ut illis largius detur; invidiam, quando datur aliis et non sibi; hypocrisin, ut placeant per simulationem; et detractio- nem, ut seipso commendent et alias vituperent. Propter laudes hominum et seductio- nes simplicium, sine devotione, sine exemplo martyrii (as the earlier orders had martyrs to point out among their numbers) praedicabant incessanter Principibus, Eccle- siarum abstrahentes sacramenta a veris pastoribus, rapientes eleemosynas pauperum mi- serorum et infirmorum, trahentes se in multitudinem populi, contrahentes familiarita- tem mulierum, instruentes, qualiter blandi maritos et amicos decipient, et res proprias eis furtive tribuant. Tollent enim res injustas et male acquisitas, et dicent: date nobis et nos orabimus pro vobis, etc.* Matthew Paris paints to the life the proceedings of the mendicant friars. For instance, ann. 1243, p. 612: *Et quod terribile est et in triste praesagium, per trecentos annos, vel quadringentos, vel amplius, Ordo monasticus tam festinanter non cepit praecepit, sicut eorum Ordo, quorum fratres jam vix transactis viginti quatuor annis primas in Anglia construxere mansiones, quarum aedificia jam in regales consurgunt altitudines. Hi jam sunt, qui in sumptuosis et diatim ampliatis aedificiis, et celsis muralibus thesauros exponunt impreciosiles; paupertatis limites, et basim suae profes- sionis, juxta prophetiam Hildegardis Alemannicae, impudenter transgredientes. Mori- turis Magnatibus et divitibus, quos norunt pecunias abundare, diligenter insistunt, non sine Ordinariorum injuriis et jacturis; ut emoluments inhinent, confessiones extorquent et occulta testamenta, se suumque Ordinem solum commendantes, et omnibus aliis praepo- nentes. Unde nullus fidelis, nisi Praedicatorum et Minorum regatur consiliis, jam credit salvari. In acquirendis privilegiis solliciti; in curiis Regum et Potentum consiliarii, et cubicularii, et thesaurii, paronymphi, et nuptiarum praecloquatores; papalium ex- tortionum executores; in praedicationibus suis vel adulatores, vel mordacissimi reprehensiones, vel confessionum detectores, vel inculti redargutores. Ordines quoque authenticos et a ss. Patribus constitutos, videlicet a ss. Benedicto et Augustino, et eorum profes- sores contemnentes (prout in causa Ecclesiae de Scardeburc, in qua Minores turpiter ce- ciderunt, patuit), suum Ordinem aliis praeponunt. Rudes reputant, simplices, et semi- laicos, vel potius rusticos Cistercienses: Nigros vero superbos et Epicureos. Ad ann. 1246, p. 694. After he has enumerated the privileges granted by Popes to the mendicant orders, he proceeds: His igitur laetificati et magnificati Praedicatorum varios Ecclesiarum Prae- latos — procaciter alloquentes, indulta sibi talia privilegia in propatulo demonstrarunt erecta cervice ea exigentes recitari, et in eorum Ecclesiis veneranter recipi et commen-*

injured by their loud complaints, and the hatred of the earlier orders.³ In the University of Paris, first the Dominicans in 1230,

dari, et ad praedicandum populo, sine aliqua contradictione, vel in Synodis, vel in Ecclesiis parochianis, quasi legatos vel etiam Dei angelos admitti. Et se ingerentes nimis impudenter rogabant singulos, etiam saepe viros religiosos: “esne confessus?” quibus si responsum fuisset: *etiam*; “a quo?” *A sacerdote meo.* “Et quis ille idiota? nunquam theologiam audivit, nunquam in Decretis vigilavit, nunquam unam quaestionem didicit endare. Caeci sunt, et duces caecorum: ad nos accedite, qui novimus lepram a lepra distinguere, quibus ardua, quibus difficultia, quibus Dei secreta patuerunt. Nobis confitemini imperterriti, quibus tanta, ut jam videtis et auditis, concessa est potestas.” Multi igitur, praecipue nobiles et nobilium uxores, spretis propriis sacerdotibus et Praelatis, ipsis Praedicatoribus confitebantur: unde non mediocriter viluit Ordinariorum dignitas et conditio; et de tanto sui contemptu non sine magna confusione doluerunt, nec sine evidenti causa.—Videbant insuper, parochianos suos audacter jam peccare et impudenter, scientes se coram Presbytero proprio non erubescere, sua enormia peccata confitendo; quod magnum reputatur periculum, cum rubor et confusio in confessione pars sit maxima et potissima poenitentiae. Dicebantque susurrantes peccaturi ad invicem: *Perpetremus quae nobis voluptuosa videntur et placenta: aliquibus enim Praedicatorum vel Minorum per nos transitum facientibus, quos nunquam vidimus vel unquam visuri sumus, cum consummatum fuerit quod desideramus, sine aliqua mora confitebimus.* Ad ann. 1247, p. 727: Fratres Minores et Praedicatores, ut credimus, invitox jam suos fecit dominus Papa, non sine Ordinis eorum laesione et scandalox, telonarios et bedellos. P. 734: Verum non cessavit dominus Papa pecuniam aggregare,—faciens de fratribus Praedicatoribus et Minoribus, etiam invitis, non jam piscatores hominum, sed nummorum. Ad ann. 1239, p. 518: Et facti sunt eo tempore Praedicatores et Minores Regum consiliarii et nuncii speciales: ut, sicut quondam mollibus induiti in domibus Regum erant, ita tunc, qui vilibus vestiebantur, in domibus, cameris et palatis essent Principum. About the year 1245 the secular clergy of England sent a letter of remonstrance to their King (in Petri de Vineis epist. lib. i. ep. 37: Usser de christian. Eccles. successione et statu, ed. 1687, p. 137), in which it is said, among other things: Fratres Praedicatores et Minores—nos et jura nostra minoraverunt in tantum, quod simus jam ad nihilum redacti.—Tacemus autem qualiter praedicti fratres, in alienam messem paulatim manum immittentes, clerum singulis dignitatibus supplantarunt, et sibi poenitentias, et baptismata, infirmantium unctiones et coemiteria usurpantes, in se omnem vim et auctoritatem clericalis ministerii astrinxerunt. Nunc autem ut jura nostra potentius enervarent, et a nobis devotionem praeciderent singulorum, duas novas fraternitates creaverunt, ad quas sic generaliter marcs et foeminas receperunt, quod vix unus et una remansit, cuius nomen in altera non sit scriptum. Unde convenientibus singulis in Ecclesiis eorundem nostros parochianos maxime diebus solemnibus habere non possumus ad divina: imo, quod deterius est, nefas credunt, si ab aliis quam ab ipsis audiant verbum Dei.—Quid ergo aliud superest, nisi ut Ecclesiastis nostras—funditus diruamus?—Ipsi vero Praedicatores et Minores, imo nostri Praelati potius et Majores, qui a domiciliis et tuguriis incepérunt, domos regias et palatia subnixa altis columnis et officiis distincta variis exeréreunt, quorum impensae deberent in usum pauperum erogari. Et qui, prius in nascentiis eorum religionis exordio, deposito fastu, calcare mundi gloriam videbantur, nunc fastum resumere, et amplecti videntur gloriam quam calcarunt.

³ Innocent IV. indeed, shortly before his death, in 1254, abolished the offensive privileges of the mendicant friars, see Waddingi ann. Minor. 1254, no. 2, and quoted from him in Raynald. 1254, no. 70. The documents missing there are, Innocentii IV. literae dd. vi. Idus Maij ann. 1254 ad Episc. Constantiensem (in J. H. Hottingeri histor. ecclesiast. viii. 1246), quite in the same strain ad Archiep. Narbonensem (in Steph. Baluzii Conc. Galliae Narbon. append. p. 156); and his Bull ad universos Religiosos cuiuscunq[ue] professionis vel Ordinis of 21. Nov. 1254 (in Bulae hist. Univ. Paris. iii. 270). Both are essentially to the same purpose. Compare in the first the complaints of the Chapters in Zurich and Narbonne: Parochiani irrequisitis sacerdotibus, imo potius damnabiliter vili-

soon after the Franciscans also, possessed themselves of a *cathedra magistralis in theologia*. When they endeavored to draw to

pensis ad quosdam religiosos, velut apud ipsos resinam duntaxat salutis inveniant, se temere transferentes,—nexus vitiorum in confessione depromunt.—Porro tamquam parum sit proprios taliter sacerdotes despicere, nisi eorum Ecclesiae pariter contemnatur, iidem Parochiani—cum in praefatis Ecclesiis tam in officiis divinis, quam sacrae praedicationis eloquio aure devotionis vocem sui deberent suscipere sacerdotis, ipsis Ecclesiis contra ss. canonum statuta contemptis, ad eorundem religiosorum divertunt Ecclesiis.—Si Parochianorum—[alicui] contingat in aegritudinis lectum decidere, statim confluent religiosi praedicti, et plerumque infirmum, invitatione paeventa sub pietatis specie, visitantes, ipsius testamentum componunt et ordinant, magno tandem adscribentes muneri, si executores mereantur ipsius fieri testamenti. Quid plura? blandis ipsorum infirmus illectus sermonibus, omisis avitis et paternis sepulchris, apud eos eligens sepeliri, ampla ipsis, praedictis vero Ecclesiis nulla vel modica legata largitur, etc. The decrees are most ample in the second Bull: Attendentes, quod ex usurpatione hujusmodi non tantum indevotio et contemptus in populo prodeunt contra proprios sacerdotes, verum etiam erubescencia, quae est magna pars poenitentiae, tollitur, dum quis non proprio sacerdoti, quem habet continuum et praesentem, sed alieno et aliquando transeunti—sua crimina confiteatur.—Universitati vestrae—mandamus, quatenus Parochianos alienos diebus dominicis et festivis non recipiat de caetero in vestris Ecclesiis seu Oratoriis temere ad divina, nec ipsos sine sacerdotis sui licentia ad poenitentiam ullenatus admittatis: cum si quis alieno sacerdoti justa de causa sua voluerit confiteri peccata, secundum statuta generalis Concilii licentiam prius postulare ac obtinere debeat a proprio sacerdote, vel saltem primo sibi confiteri et recipere absolutionis beneficium ab eodem: aliter namque ab ipso solvi non poterit, cum duplex in judicando funiculus, scilicet potestatis et scientiae, requiratur, quorum alterum constat in alieno deficere sacerdote. Et ne parochialibus Ecclesiis devotio debita subtrahatur, ante Missarum solemnia, ad quae audienda Parochiani prima diei parte in suis consueverunt et debent Ecclesiis convenire, nequaquam in vestris Ecclesiis praedicetis, nec hora illa solemnes in eis faciatis sermones, ne propter hos audiendos ad vos populus confluens parochiales Ecclesiis derelinquat: sed nec ad praedicandum solemniter ad alias parochias accedatis, nisi a sacerdote parochiarum istarum fueritis invitati, vel saltem nisi ad illud humiliter petieritis et obtinueritis vos admitti. Et ut debitus honor Episcopis deferatur, eadem die qua diocesanus Episcopus vel alius loco ejus solemniter, maxime in Ecclesia cathedrali, nullus vestrum in eadem civitate vel loco praedicare praesumat, ne salubris praedicationis doctrina ex frequenti conculatione hujusmodi quasi tedium generans contempnatur. Si vero in casu lito Parochianos alterius ad sepulturam, quam nemo sine justa et rationabili causa temere debet eligere antiquis suorum parentum dimissis sepulcris, in vestris Ecclesiis recipere vos contingat: omnia quae obtentu hujus sepulturae fueritis consequuti, medietatem vel tertiam vel quartam partem, juxta felicis recordationis Gregorii Papae praedecessoris nostri decretum, secundum consuetudinem regionis, etiam non requisiti, infra VIII. dies a tempore receptionis eorum Episcopo vel sacerdoti, de cuius parochia mortuus assumptus est, exhibere curetis.—When, however, Innocent IV. died soon after, the mendicant friars forthwith gave out (see the contemporary, the Dominican Thomas Cantipratanus de apibus, lib. ii. c. 10, no. 21): cum literas dedisset,—eadem die paralysi percussus obmutuit, nec unquam postea invaluit, aut surrexit.—Manifestissime visus est mortuus dari Sanctis Dei Francisco atque Dominico; and (cf. Monachus Patavinus about 1270, in Chron. lib. ii. in Muratori rer. Ital. t. viii.) the Litanies appointed to be sung by the mendicants had induced the blessed Virgin to recommend their cause with a *fili exaudi eos*: on which account it became a proverb at court: a litanis Praedicatorum libera nos Domine (Wadding l. c. Bulaeus, iii. 273). So Alexander IV. found it advisable, a few days after his accession to the see, dd. 31. Dec. 1255, to recall the decree of his predecessor (the Bull is in Wadding in Regest. Pontific. Bulaeus, iii. 273. Rodericus, p. 19, bullia II.); and in 1259 he even declared to the mendicants (Rodericus, p. 27): dudum in quibusdam nostris literis determinando expressimus,

themselves other professorial chairs also, they were involved, after

quod vos de licentia, vel commissione, aut concessione Legatorum sedis apostolicae, *vel* Ordinariorum locorum libere potestis praedicare populis, audire confessiones, aut poenitentias injungere, *sacerdotum parochialium assensu minime requisito*. Supported with these privileges, the mendicant friars proceeded to oppose the secular clergy in a hostile spirit; see the complaints of Bishop Walther of Strasburg in Concil. Mogunt. ann. 1261, in Mansi xxiii. 1106, and ejusd. Conc. c. 45. At Lubeck in 1277, on occasion of the funeral of a rich matron, matters proceeded to an open battle between the mendicant friars and the secular clergy; compare the letter of the Archbishop of Bremen to the Chapter of Cologne in the year 1278 (*Theol. Studien u. Kritiken*, I. i. 109): *Et ecce quid faciunt et fecerunt praedicti fratres: concitare cooperunt Consules et populum dictae civitatis universum; et dominum Episcopum cum Capitulo et Clero suo ab ipsa civitate irreverenter ejecerunt, et ipsi in locum ipsum surrexerunt, dicti quoque Episcopi prohibitione contempta singulas Ecclesias et Parochias in civitate ab ipso interdictas Pastoribus legitimis fugatis officiantes, praedicantes, confessiones audientes, oblationes tollentes, sacramenta ministrantes, sententias Ordinarii non curantes, sed nullas fore ipsas judicantes,—occasione dantes, ut contra Clericos, et quemlibet suo Episcopo obedientem clametur, Heretics, Heretics! in capite omnium platearum. Praedicant et dicti fratres in suis stationibus, quod nulli. obedire teneantur, nec Episcopis, nec Archiepiscopis, nec Primatibus, nec apostolicae sedis Legatis.* Nevertheless, in 1280 the arbitrator delegated by the Pope decided in favor of the mendicants. The Chapter in Zofingen complains in 1287 (*Der Schweizer. Geschichtsforscher*, ii. 398), that the Dominicans had made their way in there by night, erected buildings on a piece of land belonging to the Chapter, and taken the timber for the purpose from their woods without any regard to their opposition. *Si quos vero justitia exigente excommunicamus,—etiam absolvunt, vocantes eosdem ad divina. Plurimas injurias et gravamina quotidie nobis immeritis irrogantes, opprobria, convicia palam tam in facies quam post tergum afferunt, domus nostras—lapidantes.—Injurias nobis ab ipsis illatas, et crimina, quae tamen Domino concedente non sunt vera, nec probari vera possunt, per singula vix in cute pergameni vobis possunt pleniter explicari.* At last Boniface VIII., about 1300, by the Decretal *Super Cathedram* (*Extravag. comm. lib. iii. tit. 6, c. 2*) arranged their mutual relations somewhat more equitably. He decreed, 1. *ut fratres Praedicatorum et Minorum Ordinum in Ecclesiis et locis eorum, ac in Plateis communibus libere valeant—praedicare,—hora illa dumtaxat excepta, in qua locorum Praelati praedicare voluerint, vel coram se facere sollemniter praedicari.*—*In Ecclesiis autem parochialibus fratres illi nullatenus audeant vel debeant praedicare,—nisi a parochialibus sacerdotibus invitati fuerint vel vocati, et de ipsum beneplacito et adsensu.* 2. *ut magistri—Praedicatorum—et custodes Minorum—ad praesentiam Praelatorum eorumdem locorum se conferant,—humiliter petituri, ut fratres, qui ad hoc electi fuerint, in eorum civitatibus et dioecesibus confessiones subditorum suorum confiteri sibi volentium audire libere valeant.*—*Quodsi forte jam dicti Praelati quemquam ex dictis fratribus, praesentatis eisdem, ad hujusmodi officium nollent habere, vel non ducentur admittendum: eo amoto—loco ipsius similiter eisdem praesentandus Praelatis possit et debeat aliis subrogari.* Si vero iidem Praelati praefatis fratribus—hujusmodi exhibere licentiam recusant: nos exunque ipsis, ut confessiones sibi confiteri volentium libere liceteque audire valeant, et eisdem poenitentias imponere salutares, atque eisdem beneficium absolutionis impertiri, gratiose concedimus de plenitudine apostolicae potestatis. Per hujusmodi autem concessionem nequaquam intendimus—fratribus ad id taliter deputatis potestatem in hoc impendere ampliorem, quam in eo curatis vel parochialibus sacerdotibus est a jure concessa. 3. *ut fratres in Ecclesiis vel locis suis—liberam, ut sequitur habeant sepulturam, videlicet quod omnes ad eam recipere valeant, qui sepeliri elegerint in locis—memoratis.* Verum—auctoritate apostolica constituimus—eadem, ut dictorum ordinum fratres de obventionibus omnibus, tam funeralibus, quam quibuscumque et quomodo cumque relatis,—quartam partem—parochialibus sacerdotibus—largiri integre teneantur. Benedict XI., indeed, once more abolished these arrangements, and assigned to the mendicants all

1252, in a violent quarrel with the University.⁴ Their most eminent adversary, Guilelmus de Sancto Amore, doctor of the Sorbonne, advanced then to an attack on the very institution of the mendicant friars, and upon their lives and works.⁵ Against him

their former privileges again (*Extrav. Comm. lib. v. tit. 7, c. 1.*). However, Clement V., in the year 1311, by the Decretal *Dudum* (Clement III. tit. 7, c. 2), re-established the decree of Boniface VIII.

* Cf. Bulae hist. Univ. Paris. III. 240. Crevier hist. de l'université de Paris. I. 396. Dubarle hist. de l'université, Paris. 1829, i. 90. Cramer-Bossuet, VII. 131. Schlosser's Vincent v. Beauvais, ii. 140. Hist. littér. de la France, xix. 197.—Compare the Satirist of the day, Rutebeuf Descorde de l'université et des Jacobins, *De sainte Eglise, Dit de Guillaume de Saint-Amour, comment il fut exilé*, and *La complainte maistre Guil. de St. Amour* (oeuvres complètes de Rutebeuf par Achille Jubinal, i. 151, 245, 71, 78). Cf. Hist. litt. de la Fr. xx. 750.

* By the work, *De periculis novissimorum temporum*, 1256 (in Edw. Brown append. ad fasciculum rerum expetendarum et fugiendarum, p. 18, and in *Guil. opp. [ed. de Flavigny] Constantiae [Paris]*, 1632. 4. p. 17), so entitled with reference to 2 Tim. iii. 1, divided into fourteen chapters. He shows in chap. 1, quod in finali Ecclesia multa imminebunt pericula Ecclesiae universae. Cap. 2. per quos instabunt dicta pericula (represented according to 2 Tim. iii. 2). Illi dicuntur amare se ipsos, qui licet velint alios corrigere, non tamen ab aliis hominibus volunt corrigi in factis suis, licet aliquando perversis.—Illi ergo maxime, qui in statu perfectionis sunt, cum honorem suum temporalem cum multorum etiam offendiculo appetunt et querunt, plus diligunt se quam Deum.—Subjungit Apostolus: *ex his qui penetrant domos*.—Qui autem sunt penetrantes domos, exponit Glossa sic: Illi penetrant domos, qui ad literam ingrediuntur domos illorum, quorum regimen animarum ad eo non pertinet, et rimantes proprietates, i. e. secreta eorum: quod non potest fieri, nisi ingerant se ad audiendum confessiones peccatorum eorum.—Instabunt etiam pericula per pseudopraedicatorum, Matth. xxiv. 11: *Multi pseudoprophetae surgent, et seducunt multos*. Pseudo autem praedicatorum sunt omnes qui praedicant non missi, quantumcunque literati sunt et sancti, etiamsi faverent signa vel miracula, according to Rom. x. 15.—Ab Ecclesia vero eliguntur Episcopi, qui Apostolis successerunt, et parochiales Presbyteri, qui discipulis septuaginta duobus successerunt.—Unde Choropiscopi, quia officium Episcopi usurpabant in aliquo, ab Ecclesia sunt sublati. Cum enim non nisi duos ordines inter discipulos Domini esse cognoverimus, i. e. XII. Apostolorum et LXXII. discipulorum, unde iste tertius ordo processerit, funditus ignoramus; et quod ratione carent, extirpari necesse est.—Si forte dominus Papa concedit aliquibus personis potestatem praedicandi ubique, intelligendum est, ubi ad hoc fuerint invitati.—Et sic non potest Romanus Pontifex destruere, quod ab Apostolis et Prophetis decretum est: alioquin errare convinceretur, ut dicit Urbanus Papa Caus. xxv. qu. i. c. 6.—Ergo si viri regulares praedicationi se immisceant, videtur, quod non sint a Deo missi, et ideo pseudo sunt reputandi. Sic ergo patet ex praedictis, qui sunt penetrantes domos, et qui sunt pseudo; patet etiam, quod per tales instant vel instabunt pericula novissimorum temporum universae Ecclesiae.—Cap. xii. qualiter sunt dicta pericula repellanda? Among the six methods proposed this is the fifth, praecipere illis, qui sunt de secta illa, ut deserant eam, quia tales finaliter deserunt Christum.—Heu modo utinam attenderent viri religiosi, qui se curiis Principum ingerunt, quod Petrus semel curiam Principis intravit, et ter Christum negavit. Item quod vivere tales debeant de labore corporis: imo etiam omnes Christiani, qui non habent aliunde, unde vivant, dum tamen sint validi corpore, non obstante, etiamsi vident operibus spiritualibus, according to 1 Thess. iv. 11, 2 Thess. iii. 10. Si quaeratur hic, cuiusmodi periculum sit in petendo necessaria sive mendicando: respondemus, quoniam illi, qui de mendicitate vivere volunt, fiunt adulatores, et detrectatores, et mendas, et fures, et a justitia declinantes.—Sed dicet quis: nonne opus perfectionis est omnia relinquere pro Christo, et postea pro Christo mendicare? Respondemus: omnia pro

Thomas Aquinas and Bonaventura⁶ pleaded, specially for their own orders; and by virtue of the papal support the outward victory remained on the side of the latter. However, Bonaventura himself could not conceal the fact, that the hatred which found utterance in many ways against the mendicant orders was richly deserved by them.⁷

*Christo relinquere, et ipsum sequi, imitando in bonis operibus, opus perfectionis est : Luc. 18, 22 : Vende omnia quae habes, et da pauperibus, et sequere me. Glossa : bene operando, non dicit mendicando : nam hoc prohibetur ab Apostolo, ut supra dictum est. Qualiter ergo vivendum est, inquies, viro perfecto, postquam reliquerit omnia ? Respondeatur : aut operando corporaliter manibus, aut intrando monasterium, ubi habeat necessaria vitae.—Validus corpore, qui de labore suo, vel aliunde sine peccato vivere potest, si eleemosynas pauperum mendicorum recipit, sacrilegium committit. Sed dicet quis : sunt quidam regulares, qui, licet sint validi corpore, tamen illos Ecclesia diutius mendi- care permisit, vel saltem dissimulavit, numquid tales permitendi sunt perpetuo mendi- care ? Respondemus : quod non, cum faciant contra Apostolum, et alias scripturas.—Quapropter si etiam confirmatum esset ab Ecclesia per errorem, nihilominus tamen comperta veritate revocari deberet. Nam sententiam Romanae sedis non negamus posse in melius commutari Caus. xxxv. qu. ix.—Quod dicunt aliqui majoris perfectionis esse, nihil habere neque in proprio, neque in communi, quam nihil habere proprium, sed habere in communi, sicut habent Monachi, contrarium est veritati (according to John xii. 6, Acts iv. 32). To the same effect are Guilelmi sermones ii. in Brown, l. c. p. 43.—The work *De periculis noviss. temp.* was indeed forthwith condemned by Alexander IV. in the year 1256 (the Bull is in Bulaeus, iii. 310) : nevertheless, in 1266 William sent a remodeling of the same work to the Pope Clement IV. with the title : *Collectiones catholicae et canonicae contra pericula imminentia Ecclesiae universalis per hypocritas, pseudopraedicatorum, etc.* in *Guil. opp. p. 111.**

⁶ Thomae opusculem xix. contra impugnantes Dei cultum et religionem ; and, Bonaventuræ lib. apologeticus in eos, qui Ordini FF. Min. adversantur. Ejusd. de paupertate Christi contra Mag. Guilelmum, and so forth.

⁷ Compare the circular, which he issued as general of the Minorites to all the chiefs of the order dd. Paris, 23. April, 1257 (in Wadding ad h. a. no. 10) : Sane perquirent mihi causas, cur splendor nostri Ordinis quodammodo obscuratur,—occurrit negotiorum multiplicitas, qua pecunia, nostri Ordinis paupertati super omnia inimica, avide petitur, et incaute recipitur, et incautius contrectatur. Occurrit quorundam fratrum otiositas, quae sentina est omnium vitiorum, qua plurimi sopiti, monstruosum quendam statum inter contemplativam [vitam] et activam eligentes, non tam carnaliter, quam crudeliter sanguinem comedunt animarum. Occurrit evagatio plurimorum, qui propter solatium suorum corporum gravando eos, per quos transeunt, non exempla post se relinquunt vitae, sed scandala potius animarum. Occurrit importuna petitio, qua omnes transeuntes per terras adeo abhorrent fratrum occursum, ut eis timeant quasi praedonibus obviare. Occurrit aedificiorum constructio sumptuosa et curiosa, quae fratrum pacem inquietat, amicos gravat, et hominum perversis judiciis multipliciter nos exponit. Occurrit multiplicatio familiaritatum, quam regula nostra prohibet, ex qua suspiciones, infamations et scandala plurima oriuntur. Occurrit improvida commissio officiorum, qua fratribus nondum usquequa probatis, nec carne maceratis, nec spiritu roboratis, imponuntur officia vix portanda. Occurrit etiam sepulturarum et testamentorum avida quadam invasio, non sine magna turbatione Cleri, et maxime sacerdotum parochialium. Occurrit mutatio locorum frequens et sumptuosa cum quadam violentia et perturbatione terrarum, cum nota inconstantiae, non sine praejudicio paupertatis. Occurrit tandem sumptuositas expensarum. Nam cum fratres paucis nolint esse contenti, et caritas hominum refrigeruit, facili sumus omnibus onerosi, magisque fieri in posterum, nisi remedium celeriter apponatur.

As the mendicant friars appealed to the continued charity of the people, so it was always their interest to endeavor by fables of every kind to raise their order as high as possible in public opinion. The more they degenerated, the more their shamelessness in such pious frauds increased; thus they became the most active promoters of ecclesiastical superstition.

The Franciscans endeavored, partly by the most extravagant exaltation of their founder,⁸ partly by the Portiuncula-indulgence,⁹ to

Compare a German poet of the 13th century, in the Wiener Jahrbücher, Bd. 32 (1825), s. 210.

⁸ See below, § 70, note 1-3.

⁹ All his earlier biographers, even Bonaventura, are silent on this head: the earliest testimony is the deposition of two Franciscans, Benedict de Aretio and Raynerius de Mariano, before a notary on 31st October, 1277 (in Wadding ad h. a. § 19. Baluzii miscellan. iv. 490. Acta ss. Octobr. ii. 887), that they had often heard, a quodam sociorum b. Francisci, qui vocabatur frater Masseus de Marignano, quod ipse fuit cum b. Francisco apud Perusium, ante praesentiam domini Papae Honorii, cum petivit indulgentiam omnium peccatorum pro illis, qui contriti et confessi convenienter ad locum sanctum Mariae de Angelis, qui alio nomine Portiuncula nuncupatur, prima die Kal. Augusti, a vespere dieti diei usque ad vesperas sequentis diei. Quae indulgentia cum fuisset tam humiliter quam constanter a b. Francisco postulata, fuit tandem a summo Pontifice liberalissime concessa: quamvis diceret ipse Pontifex, non esse consuetudinis apostolicae sedis, talem indulgentiam facere. Another Franciscan, Michael Angelus, adds to this in his statement (first brought forward by Mansi in his edition of Baluz. misc. ii. Acta ss. l. c. p. 892): Et cum b. Franciscus exiret a d. Papa, audivit post concessionem vocem dicentem: fili Francisce, scias, quod sicut haec indulgentia data est in terra, ita confirmata est in caelo. In every subsequent narrative the legend received fresh additions. Ubertinus de Casali (about 1312), in his Arbor vitae crucifixae, lib. iv. c. 40, toward the end, writes: Cui etiam Ecclesiae [s. Mariae de Portiuncula] secunda die Augusti Virgo beatissima a filio suo obtinuit in caelis, et Franciscus a Papa in terris indulgentiam remissionis plenariae omnium peccatorum. Accordingly, in the writings of Theobald, bishop of Assisi in 1327 (Act. ss. l. c. p. 880), the business was ushered in by a vision: Cum stareb. Franciscus apud s. Mariam de Portiuncula, fuit sibi de nocte revelatum a Domino, quatenus ad summum Pontificem, dominum Honorium, qui pro tempore erat Perusii, accederet pro indulgentia impetranda pro eadem Ecclesia s. Mariae de Portiuncula, etc. Francis goes, and the Pope after much negotiation grants his prayer. Tunc b. Franciscus inclinato capite egrediebatur de palatio. Dom. Papa videns eum abire, vocans eum, dixit: *O Simplicone, quo vadis? Quid tu portas de hujusmodi indulgentia?* Et b. Franciscus respondit: *Tantum sufficit mihi verbum vestrum. Si opus Dei est, ipse suum opus habeat manifestare. De hujusmodi ego nolo aliud instrumentum, sed tantum sit charta b. Virgo Maria, notarius sit Christus, angeli sint testes* (a fine stratagem, to account for the want of documentary evidence in later times). At last the indulgence was solemnly announced by Francis in the presence of seven bishops in Portiuncula: *Ego volo vos omnes mittere ad paradisum, et annuncio vobis indulgentiam, quam habeo ab ore summi Pontificis, et omnes vos, qui venistis hodie, et omnes qui venerint annuatim tali die, bono corde et contrito, habeant indulgentiam omnium peccatorum suorum.* In the letter of Conrad, bishop of Assisi in 1335 (Act. ss. l. c. p. 882 ss.), there is both a second appearance of Christ with His Mother, and a second journey to the Pope, etc., cf. Act. ss. l. c. p. 879-919. Against works which appeared at Rheims in 1697, and Cologne in 1703, in contradiction of these fables, is directed Matth. Grouwel's hist. crit. sacrae indulgentiae b. Mariae Angelorum, vulgo de Portiuncula, Antverp. 1726. On the other side is Cyprian d. J. (Jac. Danzer's) krit. Gesch. d. Portiuncula-Ablasses, 1794.

enhance the importance of their order. The Dominicans furnished a new instrument of superstition in the rosary.¹⁰ The Carmelites, ever since they had united themselves to the mendicant orders and their policy, partook as well of their inward corruption¹¹ as of their inclination to pious frauds. They availed themselves of their shadowy origin in the east (see § 67, note 6, and § 68, note 14) to make out that Elias was their founder, the Holy Virgin a Carmelite nun, and therefore themselves, fratres b. Mariae de monte Carmelo.¹² All mendicant orders encouraged the superstition that they could guarantee to all their members, even to those who took the cowl upon their death-bed, an earnest of future bliss.¹³

¹⁰ Ever since virtue was supposed to attach to frequent repetitions of forms of prayer, people naturally were in want of means for facilitating and securing the enumeration of them. Thus an Egyptian monk, Paulus, before now used to count his prayers by the help of stones (*Palladii hist. Lausiaca*, c. 23); Godiva, an English countess, about 1040, by a necklace, which, however, is no evidence for the existence of the rosary as an article in common use. Yet in the 13th century, a medallion with sacred symbols on it, set round with knobs for counting, was in use. Rings also are found, furnished with such knobs all round (*Hist. de l'acad. roy. des inscriptions et belles lettres*, xviii. 321). Certainly Alanus de Rupe, a very fabulous biographer of St. Dominic, in the 15th century (*Acta ss. August. i.* 364), deserves no credit, when he, the first to say so, represents this saint as preaching specially about the rosary, for this style of preaching first belongs, as the indulgences granted to prayers on a rosary do, to the 15th century. Nevertheless, since the rosary is first heard of among the Dominicans, and certainly as early as 1270, under the technical name of Paternoster, we may well believe that it belongs in an especial manner to this order, and is not much later in date than the order itself. About 1270 it is said, for example, with reference to a Dominican monk, Nicolas: *Pater noster, quod personaliter quatuor annis portaverat* (s. *Quetif et Echard scriptt. Ord. Praedicatorum*, i. 411, comp. p. 852). Mabillon *Acta ss. Ord. Bened. saec. v. praef. p. lxxvi. Acta ss. Aug. i.* 422.

¹¹ Nicolaus Narbonensis (in *Flacii catal. test. : Gallus*), in 1250 vicar general of the Carmelites in the East, in 1265 general, struggled against this in vain; for this reason, in 1270 he withdrew himself again into solitude, and launched against this corruption his *Sagitta ignea*, in which he calls his brethren of the order, cauterios, errones, fabulatores, garrulos, inutiles consiliarios, malignos discussores, Sodomae cives, optimi testamenti contemptores, praeſentium et futurorum, seductores, see *Histoire littéraire de la France*, xix. 127.

¹² According to Papebrochius (*Act. ss. April. i.* 794), after the *Capitulum Aylesfordiense* in 1245. This first fable was afterward followed by that of the holy Scapulary.—On these sacred legends the Carmelite order set so high a value, that it considered itself injured to the uttermost when Papebrochius attacked them in that treatise (l. c. p. 774 ss.), and Innocent XII. in 1698 could only put an end to the violent interchange of pamphlets by commanding silence.

¹³ Thus the idea was enforced that the monastic vow had a like efficacy with baptism, which is found so early as in St. Jerome (see vol. i., Part 2, § 95, note 22). Thomas Aquin. *Secunda Secundae qu. clxxxix. art. 3: Rationabiliter dici potest, quod etiam per ingressum religionis aliquis consequatur remissionem omnium peccatorum. Si enim aliquibus elemosynis factis homo potest statim satisfacere de peccatis suis, secundum illud, Daniel, iv. 27: Peccata tua elemosynis redime; multo magis in satisfactionem pro omnibus peccatis sufficit, quod aliquis se totaliter divinis obsequiis mancipet per religionis ingress-*

It could not but happen that the interests of the different mendicant orders, coming into contact with each other as they did every where, should furnish occasion for discord among themselves. For instance, a lasting jealousy grew up between the Franciscans and Dominicans,¹⁴ considerably increased by differences in doctrine which afterward arose.

sum, quae excedit omne genus satisfactionis, etiam publicae poenitentiac, ut habet in Decr. xxxiii. quaest. 1, cap. Admonere : sicut etiam holocaustum excedit sacrificium, ut Gregorius dicit super Ezech. (hom. xx. a med.). Unde legitur in vitis Patrum (lib. vi. libello 1, num. 9), quod eandem gratiam consequuntur religionem intrantes quam consequuntur baptizati. Besides, the orders profited by the theory of the thesaurus supererogationis perfectorum, to promise their members an especial interest in the good works accumulated by their patron saints, see below, § 84, notes 19 and 20.

¹⁴ Matth. Paris ad ann. 1243, p. 611 : Et ne mundus turbinibus undique multiplicatis vacare videretur, inter fratres Minores et Praedicatores controversia eisdem temporibus ventilata multos, eo quod viam perfectionis, videlicet paupertatis et patientiae, videbantur elegisse, movit in admirationem. Asserentibus enim *Praedicatoribus*, se fuisse priores et in hoc ipso digniores, habitu quoque honestiores, a praedicatione merito nomen et officium se sortiri, et apostolica dignitate verius insigniri; respondent *Minores*, se arctiorem vitam et humiliorem pro Deo elegisse, et idecirco digniorem, quia sanctiorem, et ab Ordine Praedicatorum ad Ordinem eorum fratres posse et licenter debere, quasi ab inferiori ad Ordinem arctiorem et superiorem, transmigrare. Contradicunt eis in faciem *Praedicatorios*, asserentes, quod, licet, ipsi Minores nudi pede et viliter tunicati, cinctique funiculis incedant non tamen eis esus carnium, etiam in publico, vel diaeta propensior denegatur, quod fratibus est Praedicatoribus interdictum : quapropter non licet ipsis Praedicatoribus ad Minorum Ordinem, quasi arctiorem et digniorem, avolare, sed potius e converso. In the year 1255, the generals of both orders united, probably by community of interest, against the University of Paris, issued an exhortation to peace (Wadding ad h. a. § 12), by which a fuller light is thrown on the points of difference : Proinde cavendum est, ne nostrum aliquis propriam adeo sequatur commoditatem, quo cum gravi turbatione aliorum loca nimis notabiliter eis vicina recipient :—ne conceptum transeundi ad alterutrum nostrorum Ordinum, quem aliquis invenerit in aliquo, debilitet vel extinguit, zelo ipsum atrahendi ad suum Ordinem : ne familiares et benefactores alterius Ordinis aliquis a sua devotione audeat avertere, et ad Ordinem suum convertere :—ne loca, quae aliqui pro dominibus construendis accipere proponunt, praesentientis hoc alii caute surripiant, alios excludendo. Item ne eleemosynas, quas devotio fidelium aliquibus facere proponit, alii impedian, ut ipsi habeant.—Item ne alii sermones impedian aliorum, vel auditores subtrahant, aut ipsos sermones sibi subripiant alternatim.—Cavendum est, ne quis nostrum sic sanctos suos, sic statum suum imprudenter extollat, quod in aliorum depressionem laus taliter fieri videatur. Item ne quis obloquatur de aliis, non solum coram multis in publicum, sed nec in clanculo coram externis, nec inter fratres proprios in secreto. Item ne, si sinistrum aliquid alii sciverint, aliis denudent, ubi nulla est utilitas nec fructus : ne quis mala sibi relata de aliis, facta vel dicta, vel injuriarum aliorum leviter credat, vel hujusmodi inter fratres suos referat, et referendo aggravet, corda fratrum concitet, etc. This treaty of peace was renewed in the year 1278 (Wadding ad h. a. § 25); but even this very circumstance shows how little effect it had.

§ 70.

INTERNAL HISTORY OF THE FRANCISCAN ORDER.

The superstitious veneration of the Franciscans for their founder (Pater Seraphicus)¹ as the restorer of the genuine evangelical life, the commencer of a new epoch, induced them soon after to recognize his life as a copy of the life of Jesus,² and to appropri-

¹ Among the fanaticisms of the first Franciscans there arose again a very coarse kind of the fanaticism of the *συνεισάκτοι*, see Raumer, iii. 625, from the manuscript chronicle of Salimbeni, a Franciscan monk of the 13th century. Compare Robert v. Arbrissel, § 67, note 3.

² Allusions to this notion appear even in the life by Thomas Celanus, see above, § 68, notes 4 and 5. Also, lib. i. cap. 6, § 45: Deprecati sunt eum fratres tempore illo, ut doceret eos orare.—Quibus ipse ait: Cum orabitis, dicite: *Pater noster, adoramus te Christe caet.* § 48: Et quidem manifestis indiciis saepius hoc probarant, et experti fuerant, occulta cordis eorum Patrem sanctissimum non latere.—Most remarkable are the *sacra stigmata*, the origin of which Thomas Celanus thus relates, lib. ii. cap. 1, § 94: Faciente ipso moram in eremitorio, quod a loco, in quo positum est, Aumna nominatur (all other authorities call it mons Alvernae), duobus annis antequam animam redderet caelo, vidit in visione Dei virum unum, quasi Seraphim, sex alas habente, stantem supra, manibus extensis ac pedibus conjunctis cruci affixum.—Cogitabat sollicitus, quid posset haec visio designare.—Cumque liquido ex ea intellectu aliquid non perciperet, et multum ejus cordi visionis ejus novitas insideret; coepérunt in manibus et pedibus ejus apparere signa clavorum, quemadmodum paulo ante Virum sanctum supra se viderat crucifixum. According to Matth. Paris, the wounds first appeared 14 days before his death, and vanished after it. The circumstance agrees well with that which happened about the same time in the case of a Marquis of Monteferrando, who, from devotion, stigmata domini Jesu in corpore suo portaverat, cum aliis poenitentiis, quas faciebat in memoriam passionis Domini, cum quibusdam clavis carnem suam singulis sextis feris usque ad sanguinis effusione configebat (Stephanus de Borbone in d'Argentré collectio judiciorum, i. 85). If Francis did the same, and privately from humility, one can readily understand how his admiring companions, when they discovered the stigmata, fell into such adventurous conjectures. This explains also how it was that the earliest accounts differ so much from each other. Gregory IX. nevertheless took those legends under his protection in three Bulls, bearing all the same date, ii. Kal. April, 1237. In the first, ad universos Christifideles (Raynald. ann. 1237, § 60. Wadding ad h. a.): Igitur cum id ab universis fidelibus credi firmiter cupimus devotionem vestram rogamus et hortamur in Domino Jesu Christo, in remissionem vobis peccaminum injungendo, quatenus ab assertione contraria aures de cætero penitus avertentes, Confessores eundem apud Deum pia vobis redditatis veneracione propitium, caet. The second, ad Episc. Olomucensem (in Wadding, l. c. Rodericus, l. c. p. 10), is a strong rebuke for the bishop, who had published, patentes literas exhibendas universis Christifidelibus, and asserted in them, quod, cum solus Patris aeterni filius fuerit pro humana salute crucifixus, et ipsius duntaxat vulnera devotione supplici adorare debeat religio christiana, nec b. Franciseus, nec Sanctorum aliquis cum stigmatibus sit in Ecclesia Dei depingendus, et quod peccat contrarium asserens, nec illi, tamquam inimico fidei, credulitas adhiberi ulla debet. The third, ad Piores et Provinciales Ordinis fratum Praedicatorum (in Rodericus and Wadding, ll. cc. The last writer, from delicacy, gives the title merely ad Superiores cuiusdam sacri Ordinis), was issued against a Dominican monk, who, cum pervenisset Opaviam, Moraviae civitatem,—in communī dicere non ex-

ate to him ancient prophecies;³ and this objectionable tendency continually assumed a more imposing shape in their order.⁴

pavit, quod in laudem b. Francisci per quosdam ex discipulis suis pie proposita deberent haberi pro reprobis, quod in ejus corpore stigmata non fuissent.—Dicti fratris elatio in tantam prorupit insaniam, quod discipulos memoratos coram populo quaestuarios et falsos praedicatorum appellans, impudenter asseruit, quod in ipsis et consimiles auctoritate nostra excommunicationis posset sententiam promulgare; cf. Act. ss. Octobr. ii. 648. The Dominican, Jacobus de Voragine (about 1290), recognizes the reality of the sacra stigmata, but explains them in a remarkable manner (sermo iii. d. s. Francisco in sermonibus de Sanctis). Quinque fuerunt in corde ejus, quae fuerunt causa stigmatum in ejus corpore. Primum fuit vehemens imaginatio. Quod autem imaginatio imprimat, patet per duo exempla, quae ponit Hieronymus in glossa, Gen. xxx. Unum est, quod, dum quaedam mulier Aethiopem peperisset, et ex hoc a viro suspecta haberetur; inventum est, hoc sibi accidisse ex quadam imagine Aethiopis, quam ipsa conspexit. Aliud exemplum est, quod cum quaedam mulier filium parentibus omnino disimilem peperisset, et ex hoc suspecta haberetur; inventum est, quod talis imago in cubiculo habebatur. Dicit enim Philosophus in libro de animalibus, quod, cum quaedam gallina gallum viciisset, gallinae ex imaginatione victoriae crista et calcaria sunt exorta. Sanctus ergo Franciscus in visione sibi facta imaginabatur Seraphim crucifixum, et tam fortis imaginatio extitit, quod vulnera passionis in carne sua impressit. The four remaining causes, vehemens dilectio, v. admiratio, v. meditatio, v. compassio, lead to the same result. This is the same that Meyer, in the Blatter für höhere Wahrheit, vii. no. 5, says, that pious men, by lively faith and imagination, may experience in their own body something of the wounds of Christ.

³ Bonaventura in vita Francisci in prologo: Apparuit gratia Dei Salvatoris nostri diebus istis novissimis in servo suo Francisco omnibus vere humilibus et sanctae paupertatis amicis, qui superadfluentem in eo Dei misericordiam venerantes, ipsius erudiuntur exemplo,—Christo conformiter vivere.—Hic etenim, quasi stella matutina in medio nebulae, claris vitae micans et doctrinae fulgoribus, sedentes in tenebris et umbra mortis irradiatione praefulgida direxit in lucem; et tamquam arcus refulgens inter nebulas gloriae, signum in se dominici foederis repraesentans, pacem et salutem evangelizavit hominibus, existens et ipse angelus verae pacis. Secundum imitatoriam quoque similitudinem Praecursoris destinatus a Deo, ut viam parans in deserto altissimae paupertatis, tam exemplo quam verbo poenitentiam praedicaret: primum supernae gratiae praeventus donis, dehinc virtutis invictae adactus meritis, prophetali quoque repletus spiritu, necnon et angelico deputatus officio, incendioque seraphico totus ignitus, et ut vir hierarchicus curru igneo sursum vectus, sicut ex ipsius vitae decursu luculenter apparet, rationabiliter comprobatur venisse in spiritu et virtute Eliae. Ideoque alterius amici sponsi, Apostoli et Evangelistae Joannis, vaticinatione veridica sub similitudine angeli, ascendentis ab ortu solis, signumque Dei vivi habentis, adstruitur non immerito designatus. Sub apertione namque sexti sigilli, Vidi, ait Joannes in Apocalypsi [7, 2] alterum angelum ascendentem ab ortu solis, habentem signum Dei viri. Hunc Dei nuncium amabilem Christo, imitabilem nobis, et admirabilem mundo, servum Franciscum, indubitabili fide colligimus, caet.

⁴ Compare particularly the arbor vitae crucifixae, by the Minorite Ubertinus de Casali (about 1312, libb. v. ed. Venetiis, 1485. fol.), in lib. quinto. Especially cap. 3: Abundantibus in fine quinti [status s. temporis] jumentis lasciviae, reptilibus avaritiae, bestiis superbiae, et his omnibus tota deturpata conversatione Ecclesiae peregrinacae:—[Jesus] ultimam citationem ad Ecclesiam quinti temporis destinavit, suscitans in medio ejus viros veritatis excelsae, cupiditatem extirpantes, voluptam exterminantes,—ac Christum Jesum singulariter prae caeteris imitantes: qui et exemplo suae vitae fortissime arguerunt deformatam Ecclesiam, et verbo praedicationis excitaverunt plebem ad poenitentiam, et argumento defensionis confuderunt pravitatem haereticam, et patrocinio orationis placaverunt iram divinam. Inter quos in typo Heliae et Enoch Franciscus et Dominicus singulariter claruerunt, quorum primus seraphico calculo purgatus, et ardore caelico inflammatus totum mundum incendere videbatur, secundus vero ut Cherub extensus et protegens lumine

On this account, the strict Franciscans (spirituales or zelatores) regarded with greater pain the mitigation of the rule of poverty, considered by them so sacred. Brother Elias had commenced this even in the lifetime of Francis, and ever since there had always been a strong party in favor of it in the order.⁵ Now that the Popes, by their interpretation of the rule, decided in favor of this party, which was most useful for their purposes,⁶ the discontent of

sapientiae clarus et verbo praedicationis fecundus super mundi tenebras clarius radiavit. —Quia vero totum malum quinti temporis fuit in depravatione vanitatis multiplicis, quae ex cupiditate et abundantia temporalium trahit fomentum: idcirco ille, qui temporalia radicalius a se et a suo statu exclusit, ille principalis dicitur hujus temporis reformator. Et quia in ipso sextus status Ecclesiae inchoatur, in quo debet esse reformatio Christi vitae: ideo potest dici, quod ipse per illum primum hominem figuratur, quem Deus deliberato consilio post quinque dierum opera fecit ad imaginem similitudinis suae, ut cunctis temporibus dominetur.—Idcirco ad istum singulariter convertemus sermonem, cui et singularius potest dici, quod ipse fuit signaculum similitudinis vitae Christi, tam *vestigio conversionis*, quam *fastigio contemplationis*, quam *prodigio admirationis*, quam etiam *privilegio consignationis vulnerum passionis* sacratissimae Jesu Christi. He goes through these four points one after another. On the third he says: Tertio fuit similis hic evangelicus vir Franciscus benedicto Jesu prodigio admirationis, unde convenit sibi illud, Eccles. xlv. (Spir. 45, 2): *Similem illum fecit in gloria Sanctorum.* Gloria Sanctorum in hac vita est claritas miraculorum, in quibus b. Franciscus Jesu similis singulariter fuit. —Hic sicut Jesus aquam in vinum convertit, panes multiplicavit, et de navicula in medio fluctuum maris miraculose immota, per se a terra abducta, docuit turbas audientes in littore. Huic omnis creatura quasi ad nutum videbatur parere, ac si in ipso esset status innocentiae restitutus. Et ut caetera taceam: caecos illuminavit; surdos, claudos, paralyticos, omnium infirmatum generibus laborantes curavit; leprosos mundavit; daemones effugavit; captivos eripuit; naufragis succurrit, et quam plures mortuos suscitavit. In quibus omnibus vix est inventus similis illi, qui tot miraculis in vita et in morte claruerit, jam a statu Ecclesiae primitivae. And at the end: Fuit ergo Filio Dei similis, non similitudine aequalitatis, qua Lucifer esse voluit similis altissimo, Esai. xiv.; sed similitudine conformitatis, qualis est similitudo addiscentis ad instruentem, acquiescentis ad consulentem, obedientis ad imperantem, imitantis ad exemplantem.—Sed ultra has similitudines fuit in Francisco corporalis consignationis singularitas, ut propter singularitatem incomunicabilem, et primis temporibus inexpertam, possit de Deo admirative interrogare personas: *Quis similis Deo in filiis Dei?*

⁵ Pragm. Geschichte der vornehmsten Mönchsorden, ii. 288.

⁶ The Bull of Gregory IX. *Quo elongati*, of the year 1231 (in Rodericus, p. 7 ss.) determines, 1. that the will of Francis could not be binding, quod sine consensu fratrum, et maxime ministrorum,—obligare nequivit, nec successorem suum quodammodo obligavit, cum non habeat imperium par in parem. 2. In reference to cap. 4 of the Rule (see above, § 68, note 6): si rem necessariam velint fratres emere, vel solutionem facere pro jam empta, possunt vel nuncium ejus, a quo res emitur, vel aliquem alium, voluntibus sibi eleemosynam facere—praesentare. Qui taliter praesentatus a fratribus, non est eorum nuncius, licet praesentetur ab ipsis, sed illius potius, cuius mandato solutionem facit, seu recipientis eandem. Idem nuncius solvere statim debet, ita quod de pecunia nihil remaneat penes cum. Si vero pro aliis eminentibus necessitatibus praesentetur, eleemosynam sibi commissam potest,—apud spiritualem amicum fratrum deponere, per ipsum loco et tempore pro ipsorum necessitatibus, sicut expedire viderit, dispensandam. 3. On chapter 6 of the Rule: Dicimus, quod neque in communi, nec in speciali debent proprietatem habere; sed utensilium, et librorum, et eorum mobilium, quae licet habere, eorum usum ha-

the spiritualists broke out against the Roman See. Accordingly, many of them embraced with greater zeal the works of Joachim, abbot of Flore († 1202),⁷ whose lamentations over the corruption of the Church, as well as his prophecies of an approaching renovation,⁸ they thought had found their complete fulfillment in the rise and destiny of their order.

beant; et fratres, secundum quod generalis minister vel provinciales duxerint, iis utantur: salvo locorum et domorum dominio illis, ad quos noscitur pertinere. The Bull of Innocent IV. *Quanto studiosius: ad Generalem et Provinciales Ministros fratrum Minorum*, of the year 1245 (in Rodericus, p. 13) lays down that, ad sedem apostolicam rerum ipsarum spectat proprietas, and allows them thus much, ut singulis vestrum liceat in provinciis eis commissis—constituere aliquos viros idoneos Deum timentes, qui pro locorum indigentia singulorum res hujusmodi, tam concessas, quam etiam concedendas, auctoritate nostra petere, vendere, et commutare, alienare, tractare, expendere, permutare, et in Fratrum usum convertere valeant; quodque vobis liceat eosdem viros sic constitutos removere, aliosque ad illa exequenda sine difficultate qualibet subrogare, quoties videbitur opportunum.

⁷ Concerning him, see especially *Acta SS. Maji T. vii.* p. 89 ss. to the 29th May. Engelhardt's *kirchengeschichtl. Abhandlungen*. Erlangen, 1832, s. 32.

⁸ On his writings compare *Acta SS. I. c. p. 103, 129 ss.* Especially, *De Concordia utriusque testamenti*, libb. v.; *Expositio Apocalypsis* (prod. Venet. 1519); *Psalterium decem chordarum* (prod. Venet. 1527. 4). Besides, *Comm. in Jeremiam* (Venet. 1525. Colon. 1577. 8); in *Isaiam* (Venet. 1517. 4); in *Ezechielem*, *Danielem*, etc. Extracts from his prophecies are to be found in *Wolfi lectiones memorab.* i. 443; for instance, p. 489: *Apoc. 17. Mulier auro inaurata indifferenter cum terrae principibus forniciatur. Romana Ecclesia ista est, quae in Babylonem vitae confusione transfusa moechatur.* P. 491: *Quam vero longe sit omnis moderna religio a forma primitivae Ecclesiae, ex multis intelligi potest.* P. 493 (from the *Comm. in Jerem. on Jer. iii. 6-10*): *per Israel intelligitur Ecclesia Graecorum, et per Juda Ecclesia Latinorum, quarum prima dicitur adversatrix, secunda vero praevericatrix: nam aliud est averti a fide, et aliud est praevericari in opere.* Ibid. (on *Jerem. iv. 5 ss.*): *propter malitiam clericorum et Praelatorum terram corruptum sorde sua, justo Dei judicio permittitur, Leonem, i. e. Imperatorem Alemanniae ascendere contra Ecclesiam Latinam, qui eam desolatam faciet et absque habitatore, scilicet Praelatis et cultoribus fidei, et Ecclesias vastabit incredibili contritione.—Ecclesia Latina et Romana graviora quam Graeca passura est in proximo, quia nequiora commisit:* p. 494 (ad *Jer. 8*): a b. *Gregorio usque ad haec tempora, in quibus revelandus est novus ordo praedicantium in Jeremia designatus, nemo comparuit, qui populum Domini eruditet, vel recte ingredetur ad Evangelium veritatis.* (*Ad. Jer. xii.*): *auferetur regnum a malis Praelatis, et auctoritas et potestas praedicandi, et dabitur genti facienti fructum dignum poenitentia, ut quod dicunt ore etiam opere compleant.* P. 496 (ad *Jer. xviii.*): *in diebus istis novissimis, in quibus cadet superbia Praelatorum ambulantium in deliciis, et cathedrae doctorum carnalium subvertentur, et erunt viri seu rivi annunciantes Evangelii circumquaque per totam Ecclesiam generalem fortis in fide, veraces in doctrina et vita.* Concerning the prophecies which the mendicant orders appropriated to themselves, see *Acta SS. I. c. p. 140 ss.* Many may be genuine, such as that in *Concordiae*, lib. iv. c. 39: *Necessere est, ut succedat similitudo vera apostolicae vitae, in qua non acquirebatur possessio terrenae haereditatis, sed vendebatur potius, caet.* Others, however, are evidently forged or interpolated, such as *Comm. in Isaiam*, cap. 13: *In ducatu isto (Spoletno) et in territorio Hispano duo Ordines, ac si stellae lucidae, orientur ad praedicandum regni Evangelium.* On his tres Status, see *Acta SS. I. c. p. 142 ss.*, e. g. *Concordiae*, lib. ii. tract. 1, c. 5: *Aliud tempus fuit, in quo vivebant homines secundum carnem, hoc est usque ad Christum, cuius initatio fuit in Adam (elsewhere: status conjugatorum, sub tempore legis, in*

Thus there rose up among the strict Franciscans a party of Apocalyptic enthusiasts, who not only declared the state of the Church at that time to be corrupt, but also regarded the whole work of Christ as nothing more than a preparation for a more perfect period of the Holy Ghost. When these views first came forth fully developed in the *Introductorius in Evangelium aeternum*,⁹ which made its appearance at Paris in the year 1254, they

quo praecesserunt significantia); aliud in quo vivebant inter utrumque, h. e. inter carnem et spiritum, usque ad praesens tempus (elsewhere: status secundus s. status clericorum, qui fructificavit in Christo, qui verus est Rex et sacerdos: In this state are significantia et significata), aliud; in quo vivitur secundum spiritum usque scilicet ad finem mundi, cuius initia a diebus b. Benedicti (elsewhere: tertius status s. status monachorum, cuius praecellens claritas exspectanda est circa finem, in quo amotis significantibus sequuntur tantummodo significata). Concordiae, lib. ii. tract. 2, c. 4: Scimus, quod primus Ordo, qui institutus est primo, vocatus est ad laborem legalium praececeptorum; secundus, qui institutus est secundo, vocatus est ad laborem passionis; tertius, qui procedit ex utroque, electus est ad libertatem contemplationis.

⁹ The author was long unknown. The contemporaries Matthew Paris, ann. 1256, p. 939, and Richerius in chron. Senonensi, lib. iv. c. 37 (in d'Achery spicileg. ii. 645) attributed it to the *Praedicatorum*. However, under this name at that time, the mendicant orders in general, as well as the Franciscans, were understood, because these, in contradistinction to the earlier orders, were bound to preach, see Jacobus de Vitriaco, above, § 68, note 7: Guilelmus de s. Amore, § 69, note 5. The internal evidence of the book points to the Franciscans; and so, according to the precedent of Nicolaus Eymericus (about 1356) in Directorio Inquisitorum, p. ii. qu. 9, no. 4, Joannes Parmensis, general of the Franciscans from 1247 to 1256, was universally considered as the author (cf. Oudini de scriptoribus eccles. iii. 240), contradicted only by the Franciscans (Wadding, ann. 1256, no. 31): He, in fact, was called in question by his successor, Bonaventura, on account of his predilection for Joachim (Wadding, l. c. no. 6). However, Jac. Echardus scriptor, Dominic. i. 202 s. discovered in the Actis ms. processus in Evangelium aeternum, of the Sorbonne, that frater Gerhardus was the author, the same man who as friend of Johannes Parmensis was arrested with him, and had to pass 18 years in prison as a decided follower of Joachim (Wadding, l. c. no. 5).—With regard to the title of the book, it was denoted by Alexander IV. in his brief (in Bulae hist. Univ. Paris. 292, 293, 302), as libellus quidam, qui in Evangelium aeternum seu quosdam libros Abbatis Joachim Introductorius dicebatur; Richerius, l. c. liber quidam Evangeliorum; Matthaeus Paris, l. c. Evangelium aeternum; and le Roman de la Rose (in Bulaeus, l. c. p. 299) l'évangile perdurable.—The Evangelium aeternum was not, as Mosheim, institt. hist. eccles. p. 523, note c., thinks, a book attributed to Joachim; but it was, properly speaking, the doctrine of Joachim, i. e. the promulgation of the status tertius, in which Christendom should receive its eternal completion, and then applied to the writings in which that prediction was contained, the works of Joachim and the Introductorius. Comp. Guil. de s. Amore de periculis noviss. tempor. c. 8: Jam sunt anni lv., quod aliqui laborant ad mutantum Evangelium Christi in aliud Evangelium, quod dicunt fore perfectius, melius et dignius, quod appellant Evangelium Spiritus sancti s. Evangelium aeternum: quo adventiente evacuabitur, ut dicunt, Evangelium Christi, ut parati sumus ostendere in illo Evangelio maledicto. — Illa doctrina, quae praedicabitur tempore Antichristi, videlicet Evangelium aeternum, Parisius, ubi viget sacrae Scripturae studium, jam publice posita fuit ad explicandum, anno Dom. 1254. Ricobaldus Ferrariensis (about 1300), hist. Pontiff. Rom. ad ann. 1254 (in Eccardi corp. hist. med. aevi, i. 1218), thus states the purport of the Introductorius: asscrebat, Evangelium Christi—evacuari debere, et debere inchoari doctrinam Joachim, quam conditor libri Evangelium aeternum nominavit. Thomae Aquin. opusc.

were indeed zealously controverted by the Parisian theologians, and condemned (1255) by Alexander IV.^{:10} nevertheless, that

xix. contra impugnantes religionem, c. 24: quidam jam Christi Evangelium mutare conantur in quoddam aliud Evangelium, quod dicunt aeternum.—Hoc autem Evangelium, de quo loquuntur, est quoddam introductorium in libros Joachim compositum, quod est ab Ecclesia reprobatum, vel etiam ipsa doctrina Joachim, per quam, ut dicunt, Evangelium Christi mutatur. Engelhardt's kirchengesch. Abhandl. s. 1.

¹⁰ The University of Paris sent, in the year 1254, extracts from the Introductorius to Rome: whereupon, in 1255, Alexander IV. charged the Archbishop of Paris (Bulæus, iii. 292, 293, 302), quatenus libellum ipsum et omnes scedulas supradictas (because, in it, multa, quae in libello non continebantur eodem, nequiter sibi adscripta fuisse *dicuntur*) auctoritate nostra facias aboleri, generalem excommunicationis sententiam proferens in omnes eundem libellum et scedulas ipsas habentes, nisi infra certum terminum, quem ad hoc praefixeris, illa duxerint penitus abolenda. Nevertheless, extracts have been preserved from the Introductorius, without doubt the above mentioned *scedulae*, which were cried down as untrue by the Franciscans only. Cf. Excerpta pertinentia ad librum, quod Evangelium aeternum inscribitur in C. du Plessis d'Argentré collectio judiciorum de novis erroribus I, 163. The most remarkable part of this work, Hermannus Cornerus, a Dominican in Lubeck about 1435, has adopted word for word in his Chronicon (in Ecardi corpus histor. medii aevi II, 849); afterward, however, he makes additions from some other quarter. The most remarkable errors are the following: Quod circa millesimum ducentesimum annum Incarnationis dominicae exivit Spiritus vitae, de duobis testamentis ut fieret Evangelium aeternum.—Quod liber Concordiarum—appelletur primus liber Evangelii aeterni. Et quod liber iste Concordiae sit Joachim. Just so the Apocalypsis nova, liber secundus, and Psalterium X chordarum, tertius.—Comparat vetus Testamentum claritati stellarum, novum claritat lunæ, Evangelium aeternum s. Spiritus sancti claritati solis. Item comparat vetus Testamentum Sanctuario, novum sancto, aeternum Sancto Sanctorum. Item dicit, Evangelium aeternum esse spirituale, Evangelium Christi literale; et quod Evangelium aeternum est illud, de quo Jerem. 31, 33. Dabo legem meam, etc.—Quod alia est Scriptura divina, quae data est fidelibus eo tempore, quo Deus Pater dictus est operari; et alia, quae data est Christianis eo tempore, quo Deus Filius dictus est operari; et alia, quae danda erit eo tempore, quo Spiritus sanctus proprietatis Mysterii Trinitatis operabitur.—Quod tertius status mundi, qui proprius est Sancti Spiritus, erit sine aenigmate et sine figuris.—Unde [Apostolus] dicit (1 Cor. xiii. 9, 10): *Ex parte cognoscimus, ex parte prophetamus: cum autem venerit, quod perfectum est*, etc. Quasi dicat: Tunc cessabunt omnes figurae, et veritas duorum Testamentorum sine velamine apparebit.—Quod, sicut in principio primi status apparuerunt tres magni viri, scil. Abraham, Isaac et Jacob, quorum tertius, scil. Jacob habuit xii: et, sicut in principio novi apparuerunt tres, scil. Zacharias, Johannes Baptista, homo Christus Jesus, qui similiter secum habuit duodecim; sic in principio tertii erunt tres similes illorum, scilicet vir induitus lineis [Joachim], et Angelus quidam habens falcem acutam [Dominicus], et alius Angelus habens signum Dei vivi [Franciscus]. Et habebit similiter Angelus XII., inter quos ipse fuit unus, sicut Jacob in primo, Christus in secundo.—Quod Evangelium aeternum traditum sit et commissum principaliter illi Ordini, qui integratur et procedit aequaliter ex Ordine laicorum et clericorum,—quem Ordinem appellat Independentium.—Quod novum Testamentum, sicut vetus, evacuandum est.—Quod novum Testamentum non durabit in virtute sua, nisi per sex annos proxime futuros, scilicet usque ad annum 1260.—Quod adveniente Evangelio Spiritus sancti, sive clarescente opere Joachim, quod dicitur Evangelium aeternum s. Spiritus sancti, evacuabitur Evangelium Christi.—Quod spiritualis intelligentia novi Testamenti non est commissa Papæ Romano, sed tantum intelligentia literalis.—Et per hoc datur intelligi, quod Ecclesia Romana non habet judicare de spirituali intelligentia novi Testamenti. Et, si judicat, temerarium est, judicium ejus, et non est acquiescendum ejus judicio, quia Ecclesia Romana literalis est, et non spiritualis.—Quod Papa Graecus magis ambulat secundum Evangelium,

apocalyptic party continued to maintain its ground in the Franciscan order.

The new interpretation of the rule of St. Francis, which Nicholas III. issued in the year 1279,¹¹ only raised up new zealots. Their chief, Peter John Olivi († 1297),¹² and his commentary on quam Papa Latinus.—Et per hoc datur intelligi, quod magis est propinquus statui salvandorum, et quod magis adhaerendum est ei, quam Papae Romano, sive Ecclesiae Romanae. Also, the Council of Arles, in the year 1260 (see d'Argentré, l. c. p. 166 ss. Mansi xxiii. 1002), condemns, in Can. 1, the errors of the Joachimitici, which were developed in the *Praefatio*, praesertim cum in partibus provinciarum, quibus — praesidemus, jam plurimos etiam literatos hujusmodi phantasias intellexerimus eatenus occupatos et illectos, ut plurima super iis commentaria facta descripserint, et de manu ad manum dando circumferentes, ac externas transfruderint nationes.

¹¹ In the Bull *Exiit* (in Sextus Decretall. lib. v. tit. 12, c. 3) with reference to the earlier explanations of Gregory IX. and Innocent IV. (above, note 6). Especially on cap. 6 of the Rule : Abdicatio proprietatis hujusmodi omnium rerum non tam in speciali, quam etiam in communi propter Deum meritoria est et saneta, quam et Christus, viam perfectionis ostendens, verbo docuit et exemplo firmavit. — Nec his quisquam putet obsistere, quod interdum dicitur Christum loculos habuisse. Nam sic Jesus Christus, cuius perfecta sunt opera, in suis actibus viam perfectionis exercuit, quo interdum infirmorum imperfectionibus condescendens, et viam perfectionis extolleret, et imperfectorum infirmas semitas non damnaret,—Egit namque Christus et docuit opera perfectionis, egit etiam infirma, sicut interdum et in fuga patet et loculis, etc. However, there now follows the explanation : Cum in rebus temporalibus sit considerare praecipuum proprietatem, possessionem, usumfructum, jus utendi, et simplicem facti usum; et ultimo tamquam necessario egeat, licet primis carere possit, vita mortalium : nulla prorsus potest esse professio, quae a se usum necessariae sustentationis excludat. Verum condecens fuit ei professioni, quae sponte devovit Christum pauperem in tanta paupertate sectari, omnium abdicare dominium, et rerum sibi concessarum necessario usu fore contentam. Nec per hoc, quod proprietatem usus, et rei cuiusque dominium a se abdicasse videtur, simplici usu omnis rei renunciasse convincitur, qui, inquam, usus, non juris sed facti tantummodo nomen habens, quod facti est tantum, in utendo praebet utentibus nihil juris : quin immo necessiarum rerum—moderatus usus—concessus est Fratribus—durante concedentis licentia.—Ad haec cum Fratres ipsi nihil sibi in speciali adquirere, vel eorum Ordini possint etiam in communi ;—omnium utensilium et librorum, ac corum mobilium praeuentium et futurorum, quae et quorum usumfructum scilicet Ordinibus vel Fratribus ipsis licet habere, proprietatem et dominium (quod et fel. record. Innocentius P. IV. praedecessor noster fecisse dignoscitur) in nos et Romanam Ecclesiam plene et libere pertinere hac praesenti constitutione, in perpetuum valitura, sancimus. Among the other explanations, compare also : Licet autem continetur in Regula, quod Fratres habeant unam tunicam cum caputio, et aliam sine caputio :—declaramus, quod possint Fratres de licentia ministrorum et custodum conjunctem et divisim in administrationibus sibi commissis, cum eis videbitur,—uti pluribus, nec per hoc videantur a Regula deviare : cum etiam in ipsa dicitur expresse, quod ministri et custodes de infirmorum necessitatibus, et Fratribus induendis sollicitam curam gerant, secundum loca et tempora et frigidas regiones.

¹² Concerning him, see Oudinus de scriptt. eccles. iii. 584. Olivi was, indeed, several times examined by the officers of his order because he censured the mitigation of the rule (see Wadding, ann. 1282, no. 2; 1283, no. 1; 1285, no. 5; 1290, no. 11; 1292, no. 13); and his defense, on his first examination in the year 1283, is still extant (in d'Argentré collectio judiciorum, i. 226), in which he disclaims many sorts of errors charged upon him. Here, however, his apocalyptic dreams are nowhere brought forward. His *Postilla in Apocalypsin* was first mentioned in the apology for him by Ubertinus de Casali about the year 1297; and so it appears to have been written by him late in life. He has left behind him his

the Apocalypse, in which, along with the above-mentioned fanatical expectations, the most biting censure against the Popes found utterance,¹³ met with many adherents in the order, and, after his

opinion on the poverty prescribed by the rule, in a profession composed on his death-bed (in Wadding, ann. 1297, no. 33, and Bulaci hist. Univ. Paris. iii. 535) : *Dico abdicationem omnis jurisdictionis temporalis, et pauperem rerum usum esse de substantia vitae nostrae evangelicae.* Pauperem vero usum hunc ita explico, ut omnibus consideratis censeatur potius pauper quam dives, seu declinet potius ad paupertatem, quam ad opulentiam. *Dico* etiam, quod defendere pertinaciter transgressiones paupertatis, et imperfectiones Regulac contrarias, tamquam bonas, vel cogere ad eas Fratres, persequendo illos, qui Regulac puritatem observant, peccatum est mortale, a quo non excusat crassa vel affectata ignorantia. *Dico* 3, quod eo gravius est introducere hujusmodi relaxationes in universum corpus religionis, quam peculiares quosdam ad easdem allicere, etc. *Dico* 4, notabiles excessus in aedificiis,—pro quibus construendis multiplices et importuni fiunt quaestus, periculosos esse. *Dico* 5, litigare vel causas movere coram iudicibus circa funeralia, aut legata pia nobis reicta, impuritas est maxima contra Regulam: neque obstat, quod per saeculares seu Fratrum amicos haec fiant; si tamen Fratres eos ad hoc excitaverint, sumptus aut scripturas ministraverint.—Idemque censendum est de iis, qui procurant suis monasteriis annuos reditus, et determinatas vel statutas sub singulis annis provisiones, praevenientes nimia sollicitudine omnes necessitates, etc.

¹³ Of his Postilla super Apocalypsi there are only those sixty articles remaining, on which eight doctors of theology gave in their judgment to Pope John XXII., in Baluzii miscellan. i. 213. In particular, p. 214: Quantum ergo ad primum, qui scilicet sint septem status Ecclesiae in his visionibus descripti, sciendum, quod *primus* est foundationis Ecclesiae primitivae in Judaismo sub Apostolis factae. *Secundus* fuit probationis et confirmationis ejusdem per martyria.—*Tertius* fuit doctrinalis expositionis fidei rationabiliter confutantis et convincentis insurgentes haereses. *Quartus* fuit anachoreticae vitae.—*Quintus* fuit vitae communis, partim zeli severi, partim condescensivi sub Monachis et Clericis temporales possessiones habentibus. *Sextus* est renovationis evangelicae vitae, et expugnationis antichristiana, et finalis conversionis Judaeorum et gentium, seu iteratae reaedificationis Ecclesiae simul primae. *Septimus* vero, prout spectat ad vitam istam, est quae-dam quieta et mira participatio futurae gloriae, ac si caelestis Jerusalem videatur descendisse in terram: prout tamen spectat ad aliam vitam, est status generalis resurrectionis, et glorificationis Sanctorum, et finalis consummationis omnium.—*Sextus* vero [status] aliquanter coepit a tempore b. viri Patris nostri Francisci. Plenius tamen debet incipere a damnatione Babylonis mereetricis magnae, quando praefatus angelus Christi signo signabit per suos futuram malitiam [leg. militiam, cf. Apoc. 7, 3] Christi. *Septimus* autem uno modo inchoat ab interfectione illius Antichristi, qui dicet se Deum et Messiam Judaeorum. Alio modo inchoat ab initio extremi iudicii omnium reproborum et electorum.—P. 221: Sicut etiam in sexta aetate rejecto carnali Judaismo et vestutate prioris saeculi venit novus homo Christus cum nova lege, vita et cruce: sic in sexto statu rejecta carnali Ecclesia et vetustate prioris saeculi renovabitur Christi lex, et vita, et crux. Propter quod in ejus primo initio Franciscus apparuit, Christi plagi characterizatus, et Christo totus concrucifixus et configuratus.—P. 228 on Apoc. 6, 12: Patet Franciscum vere esse angelum apertioris sexti signaculi.—P. 229: Est adhuc notandum, a quo tempore debeat sumi initium hujus sextae apertioris. Videtur enim quibusdam, quod ab initio Ordinis et Regulæ s. Patris praefati; alii vero, quod a solemní revelatione tertii status generalis, continentis sextum et septimum statum Ecclesiae, facta Abbatii Joachim et forte quibusdam aliis sibi contemporaneis; alii vero, quod ab exterminio Babylonis et Ecclesiae carnalis per decem cornua bestiae, i. e. per decem Reges fiendo; alii vero, quod a suscitatione spiritus seu quorundam ad spiritum Christi et Francisci, tempore quo ejus Regula est a pluribus nequiter et sophistice impugnanda et condemnanda ab Ecclesia carnalium et superborum, sicut Christus condemnatus fuit a Synagoga reproba Judaeorum. Hoc enim oportet praeire tempo-

death, with an ardent defender in his like-minded pupil, Ubertinus de Casali.¹⁴

Under Celestine IV., indeed, the internal discord of the Franciscans seemed to be removed, when this Pope (1294) united the spiritualists in a society of their own, called the Celestine-Eremites.¹⁵ But Boniface VIII. abolished it again (1302), persecuted the spiritualists as heretics and schismatics,¹⁶ and thus prepared

rale exterminium Ecclesiae, sicut illud praecevit exterminium Synagogae.—P. 235 on Apoc. 6, 12: Tunc enim totus status Ecclesiae in Praelatis et plebibus et religiosis funditus subvertetur, praeter id quod in paucis electis (namely, the Minorites) remanebit occule. —Est enim tunc nova Babylon sic judicanda, sicut fuit carnalis Hierusalem, quia Christum non recepit, immo reprobavit et crucifixit. On Apoc. 7, 2: Hic ergo angelus est Franciscus, evangelicae vitae et Regulae sexto et septimo tempore propagandae et magnificandae renovator, et summus post Christum et ejus matrem observator.—P. 236: Audivi etiam a viro spirituali valde fide digno,—quod b. Franciscus in illa pressura temptationis Babylonicae, in qua ejus status et Regula quasi instar Christi crucifigetur, resurget gloriosus; ut sicut in vita et in crucis stigmatibus est Christo singulariter assimilatus, sic et in resurrectione Christo assimiletur, necessaria tunc suis discipulis confirmandis, et informandis, sicut Christi resurrectio fuit Apostolis confirmandis necessaria.—P. 248: Sicut enim—Apostoli—senserunt, non se ita prosperaturos seu prospere piscaturos in terra Iudeorum, sicut in mari paganorum, sic et iste angelus sentiet, non se ita prosperari in carnali Ecclesia Latinorum, sicut in Graecis et Saracenis et Tartaris et tandem in Iudeis.—P. 257 on Apoc. 16, 10: Sicut post quatuor animalia, quatuor primos status Sanctorum designantia, sublimata est generalis sedes Romanae Ecclesiae, caeteris patriarchalibus s. orientalibus Ecclesiis a Christo et ab ejus vera fide resectis, sic in eodem quinto tempore post quatuor bestias a Daniele visas, quatuor primis Sanctorum ordinibus contrarias, sublimata est sedes bestiae, i. e. bestialis catervae, ita ut numero et potestate praevaleat et fere absorbeat sedem Christi, cui localiter et nominaliter est commixta. Unde et sic appellatur Ecclesia fidelium, sicut et illa, quae vere est per gratiam sedes et Ecclesia Christi.—Per hanc autem sedem bestiae principaliter designatur carnalis clerus in hoc quinto tempore regnans et toti Ecclesiae praesidens, in quo quidem bestialis vita praezellenter et singulariter regnat et sedet sicut in sua principali sede, et longe plus quam in laicis et plebibus sibi subjectis.—P. 260: Unde et quidam putant, quod tam Antichristus mysticus quam proprius et magnus erit Pseudo-Papa caput Pseudo-prophetarum, etc.—P. 261 on Apoc. 17, 1: Nota quod haec mulier stat hic pro Romana gente et imperio, tam prout fuit quondam in statu paganismi, quam prout postmodum fuit in fide Christi, multis tamen criminibus cum hoc mundo fornicata. Vocatur ergo meretrix magna, quia a fidelis cultu et a sincero amore et deliciis Dei Christi, sponsi sui, recedens adhaeret huic saeculo, et deditis, et deliciis ejus, et diabolo propter ista, etc.

¹⁴ See an extract from his *Apology for Olivi*, for which in 1317, under John XXII., he also was called to account (Baluz. miscel. i. 293), in Wadding, ann. 1287, no. 36 ss. But also in the *Arbor vitae crucifixae* all the Apocalyptic ideas of Olivi are brought forward again; and in lib. v. c. 1, whole passages of his *Postilla* in Apocal. are quoted word for word. About the same time, the Franciscan Jacobus de Benedictis or Jacoponus, the author of the Sequence, *Stabat mater dolorosa*, had to atone for his undisguised censure of Boniface VIII. by a severe imprisonment (Wadding, ann. 1298, no. 24 ss. 1306, no. 7 ss. Mohnike kirchen- u. literarhist. Studien, I. ii. 335).

¹⁵ Pauperes Eremitae Domini Coelestini. Cf. Raynaldus, ann. 1294, no. 26. Wadding, ann. 1294, no. 9. The persecutions they suffered from the rest of the Franciscans may be seen ibid. 1301, no. 1.

¹⁶ Wadding, ann. 1302, no. 7, 8. 1307, no. 2 ss.

the way for their complete secession from the order and the Church.¹⁷ (Fraticelli.)

§ 71.

BEGUINS.

Corn. Smetius de Begginis in J. Ghesquieri et C. Smetii, *Acta SS. Belgii selecta T. V.* (Bruxell. 1789. 4.), p. 93. J. L. a Mosheim de Beghardis et Beguinabus commentarius, ed. G. H. Martini. Lips. 1790. Dr. E. Hallmann's *Gesch. d. Ursprungs d. belgischen Beghinen*, Berlin, 1843.

From the end of the 12th century there grew up in many towns of the Netherlands societies of ladies (Beguinae, Begutae),¹ who,

¹⁷ An accusation was also brought against Ubertinus de Casali in 1317 (see note 14) (Baluz, i. 305), quod fuit defensor, sectator, et fautor Fratricellorum dicentium et tenentium quod a tempore Coelestini Papae non fuit in Ecclesia Papa verus, et plures alios errores.

¹ On the causes, see Mosheim, p. 133. On the numerical disproportion of the two sexes caused by the crusades, and its consequences, see Sprengel's *Gesch. d. Arzneikunde*, 3te Aufl. ii. 522. There has always been a commonly received opinion in Liege, that the Beguins were instituted there about the year 1180, by a certain priest Lambert le Bègues or le Bègue, and called after his name. So says even Aegidius mon. Aureae Vallis, who wrote about the year 1230 *gesta Pontificum Leodiensium*, c. 52 (in J. Chapeavilli *gesta Pontiff. Tungrensum, Trajectinensum et Leodiensium*, ii. 126): Cum hujusmodi erroribus irretita jam teneretur Legia,—suscitavit Deus spiritum sancti cuiusdam sacerdotis, —qui Lambertus le Begues, quia balbus erat, de s. Christophoro dicebatur, a cuius cognomine mulieres et puellae, quae caste vivere proponunt, Beguines gallice cognominantur, quia ipse primus extitit, qui eis praemium castitatis verbis et exemplo praedicavit. Thus also says Henricus Gueldrus, bishop of Liege, in a letter to the Beguins of Tongres in the year 1266 (in B. Fisen *sancta Legia*, s. hist. Eccl. Leodiensis, p. 409): Attendentes, qualiter haec sancta religiosarum puellarum et matronarum, quae Beguinae vocantur, plantatio—jam dudum in civitate et dioecesi Leodiensi prima pullulavit, et palmites suos longe lateque producens, paene per totum orbem flores protulit: gaudemus in Domino dictas nostras civitatem et dioecesin propter hoc ubique locorum magnis laudibus praeconiorum attolli. Striking, indeed, is the declaration of Thomas Cantipratensis, who lived in Louvain and Cambrai, in his *bonum universale de apibus* (written about 1260), lib. ii. c. 51: Circa annum incarnationis dominice MCCXXVI res mirabilis accidit in oppido Nivelensi. In hac urbe, ut pluribus adhuc viventibus notum est, mulierum devotarum, quae Beghinac dicuntur, nunc late diffusa per orbem religiositas inchoavit. Harum perplures, quae magis spirituales erant, igne sacro acriter sunt accensae, et hoc in membris tantum, in quibus magis peccaverant. The miraculous cures in the church of St. Gertrude, are then related as the res mirabilis. However, the founding of the Beguinages in Bruges, Valenciennes, Douay, and Dendermonde took place before 1226: all of these could not have been unknown to Thomas. So in that passage he must be speaking of the establishment of Beguins in Nivelles, and not generally of the first institution of the order. In much later time, in consequence of the similarity of the names, there grew a popular opinion that the Beguins were an institution of St. Begga, the daughter of Pepin von Landen, and mother of Pepin von Heristal. After the beginning of the 17th century, many Beguinages in Brabant began to honor this canonized princess of Brabant as their foundress, while others, especially that of Liege, stood firm to Lambert le Bègue, and thus was engendered a hot controversy on this head, see Hallmann, S. 25 and 125. Certain docu-

free from monastic vows and monastic constraint, lived a life of devotion, according to a rule which established only necessary ordinances, in small houses adjoining a court (*Beginagium*),² and maintained themselves from their own property and the labor of their hands. Not long after, there rose foundations of a similar character for noble ladies (*Canonissae saeculares*).³ During the 13th century the Beguinæ increased in the Netherlands, Germany, and France to a wonderful degree;⁴ and there rose also societies of the same kind for men (*Beguini, Begharden*).⁵ As they

ments, the earliest of the year 1065, seem to decide against Lambertus; they appear to prove the existence of a Beguinage in Vilvorde, near Brussels, before his time. Erycius Puteanus, professor at Louvain, first published these, *de Begginarum apud Belgas instituto et nomine, Lovan. 1630. 4.* (in Hallmann, S. 47). By the publication of these documents, others also, who refused to acknowledge St. Begga as the foundress, were induced to refer the institution to an earlier date than Lambert's, and to search for another derivation of the name. In the *Acta Sanct. April. iii. 872*, the name Beghine is derived from the old Saxon *beggen, betheln* (to beg, begging, beggar): however, the Beguines in the Netherlands, where at all events the name arose, did not beg. For this reason, Mosheim, p. 98, takes the word *beggen* in the signification of praying (as in *Ulphilas bidgan* or *bedgan* is used), and explains Beguines as praying-sisters. On the other side : 1. This signification of *beggen* can not be authenticated from the Low-German of the Middle Ages; and, 2. How comes a German root to have a termination that is not German? Hallmann, S. 51, has lately proved the Vilvorde document to be spurious, and so the derivation from *Lambertus le Bègue*, and the origin of the un-German form *Beguine* in the French speaking Liege, will remain as the most likely.

² See Mosheim, p. 34; also Vineae, *ibid.* p. 141, or *Beguinarum curiae*, p. 146, 172. On the regulations of the Beguinages, see Mosheim, p. 147. Hallmann, S. 11.

³ Jacobus de Vitriaco, about 1220, in his *hist. Orient. et Occident. lib. ii. c. 31*, writes of them as abundant in Germany and Brabant: *Canonicas saeculares s. Domicellas appellant, non enim Moniales nominari volunt.* — *Nonnisi filias militum et nobilium in sua Collegia volunt recipere.* Many of them even married, *relictis Praebendis et Ecclesiis.* Thus also Boniface VIII. (*Sext. Decret. lib. i. tit. vi. c. 43, § 5*) speaks of monasteries, *ubi sunt juxta quarumdam provinciarum consuetudinem mulieres, quae nec propriis renunciant, nec professionem faciunt regularem, sed vivunt ut in sacerularibus Ecclesiis canonici saeculares.* Cf. Thomassinus, *P. i. lib. iii. c. 63, § 6 ss.* These, too, were sometimes called Beguinæ, Mosheim, p. 13 ss. Theodorus Engelhusius († 1434), in his Chronicle in Leibnit. *scriptt. rer. Brunsv. ii. 1072*, attributes to the Emperor Henry I. the first establishment of such secular foundations for women; *fundavit in Almania ultra XX Ecclesias, quas et abundanter dotavit, pro dominabus sacerularibus, quae Canonicæ nominantur, utentes habitu Canonicorum regularium Ord. s. Augustini, nullam tamen profidentes religionem, nubentes in Domino, quando volunt.* *Inventae sunt autem pro sustentatione nobilium pro fide Christi ab infidelibus occisorum, ne talium filiae cogerentur mendicare, etc.* However, this very reason points to the age of the crusades; during the same time many of the more ancient monasteries, as Quedlinburg, adopted the freer constitution of chapters.

⁴ Matth. Paris, *ad ann. 1250, p. 805*: *In Alemannia mulierum continentium, quae se Beguinæ volunt appellari, multitudo surrexit innumerabilis, adeo ut solam Coloniam milie vel plures inhabitarent.* In like manner, *ad ann. 1243, p. 611.* On the foundation of the earliest Beguinages, see Hallmann, S. 11; in Flanders, see Warnkonig's *flandr. Staats-u. Rechtsgesch.* i. 421.

⁵ According to J. B. Gramaye antiquitt. *Brabant.* p. 31, *ann. 1215*, Mosheim, p. 168.

were exposed in an unprotected state to many persecutions,⁶ most of them deemed it advisable to suffer themselves to be adopted into the tertiary orders of the Franciscans and Dominicans.⁷

But when the Beguins, after the example of their spiritual guides, addicted themselves to vagrant mendicancy on the Rhine and in France, not only did the secret teachers of heresy, as they wandered from place to place, avail themselves of this to assume likewise the appearance of Beghards, but also many Beghards fell an easy prey to them, by reason of their contemplative cast of mind and their want of education.⁸ Thus the name Beguin, or Beghard, by which at first a high degree of devotion to the Church in laymen was distinguished,⁹ fell into ill repute, and became a denomination of wandering heretics.¹⁰ In Germany it was fastened especially upon the sect of the Free Spirit,¹¹ in France on the heretical Franciscans and their adherents.¹² Accordingly, in these

The earliest house known is that of Louvain, in the year 1220, *ibid.* p. 175 ss. In France they are called also Boni Pueri, or Boni Valeti, *ibid.* p. 36 ss.

⁶ Mosheim, p. 139 ss.

⁷ Bonaventura in *Libellus apologet.* in eos, qui Minoribus adversantur, qu. 6, already calls the Tertiaries of the Franciscans simply Beginae, Mosheim, p. 38, 58, 172, 173. So also the Tertiaries of the Dominicans are called in Italy, for instance, in a Bull of John XXII. in the year 1326, in *Federici istoria de' Cavalieri gaudenti*, vol. ii. app. p. 91: esse plures mulieres Beghuinas vulgariter nuncupatas, seu de poenitentia b. Dominic, in Lombardiae et Tusciae partibus; and at the same time, in *Marsilii Ficini defensor pacis*, P. ii. c. 8: laicos quosdam, quos in Italia Fratres gaudentes, alibi vero Beguinios appellant.

⁸ Conc. Mogunt. ann. 1259, in *Mansi xxiii.* 998: Statuimus, quod secta et habitus, nec non conventicula Beguardorum, clamantium per plateas et vicos civitatum, oppidorum et villarum hoc vulgare: *Brot durch Gott*, et quae aliae singularitates a s. Dei Ecclesia non receptae, sint penitus reprobati; et mandatur universis Plebanis,—ut eosdem Beguardos publice tribus diebus dominicis vel festivis admoneant, ut hujusmodi singularitatibus derelictis se teneant sicut alii Christiani, et quod non praedicent in cavernis vel in aliis locis secretis, et non convenient cum Beguinis, se conformantibus eisdem in moribus, habitu et incessu: alioquin extra parochias suas eos expellant. Idem etiam de Beguinis pestiferis statuimus.

⁹ Robertus de Sorbona (about 1250) in his *Iter Paradisi* (*Bibl. Patr. Lugd.* xxv. 362): Aliquis incipit agere poenitentiam, irridetur ab aliquo, qui dicit: iste est *Beguinus*.

¹⁰ The name also was carried back into earlier times with this signification. So Godfrey (Monk of St. Pantaleon, in Cologne, about 1237), in his *Chronica s. Pantaleonis*, calls the Albigenses Beguni (Mosheim, p. 52), and in the vita Johannis II. Episc. Magalonensis (*Gallia christiana*, v. 755) we find: Petro Beguno ejusque asseclis, anno 1176, impia dogmata spargentibus, etc.

¹¹ For instance, the secta liberi spiritus was introduced among them in Suabia and Cologne after the middle of the 13th century. Mosheim, p. 198 ss. See below, § 90, note 31.

¹² The first trace is Conc. Biterrense, ann. 1299, can. 4 (*Mansi xxiv.* 1216): Cum—ad nostram notitiam sit delatum, quod ad suggestionem quorundam, inter quos nonnulli fuerint, qui dicebantur plurimum literati, quorum aliqui fore noscebantur de religione laudabili, non immerito inter religiones caeteras approbata, ponentium os in caelum, et manus

countries decrees were issued against the Beguins,¹³ while in the Netherlands they continued free from such degeneration, and were protected.¹⁴

§ 72.

ECCLESIASTICAL ORDERS OF KNIGHTHOOD.

Chivalry, which under the influence of the Church, particularly during the Crusades, had assumed its peculiar form,¹ grasped with especial zeal the idea that battle with the infidels was the highest of all deeds of piety, and the surest method of effacing sin. As, now, orders of chivalry grew up, uniting this meritorious activity with the monastic life, the pinnacle of all Christian perfection, so as to make the deprivations of the monastic state more tolerable by the love of arms, and work out their salvation, they were, also, quite in keeping with the character of the age, which attached as much importance to good works as to gallant deeds.

ad vota extendentium, praedicantium multis finem mundi instare, et jam adesse vel quasi tempora Antichristi, novosque poenitentiae modos et abstinentias vestiumque colores utriusque sexus personis suggesterunt, et nibilominus virginitatis ac castitatis vota recipientia a pluribus ex eisdem, ad hoc suis exhortationibus prius tractis, quae vota a pluribus violata fuisse noseuntur: quam plures utriusque sexus ad novae superstitionis cultum pertracti fuerunt, *Beguini* seu *Beguinae* vulgariter appellati, qui conventionalia prohibita facientes, et frequentes de nocte officium praedicationis verbi Dei temere usurparunt, in suam excusationem ficticie practendentes, quod non praedicant sed loquuntur de Deo se invicem consolantes, et quasdam novas observantias custodire conantur, a communis ritu caeterorumque fidelium discrepantes, e quibus nonnulla scandala sunt suborta, et non modica pericula huic provinciae, quam haereticos olim publice frequentasse est certum, nec dubium est, licet clam, adhuc ab aliquibus frequentari, imminere noseuntur. Sacro igitur approbante Concilio prohibemus cultum superstitionis praefatae—ulterius observari, etc. Cf. Mosheim, p. 206 ss.

¹³ Conc. Colon. ann. 1306 (Mosheim, p. 211), against the *Begardi* et *Begardae*, et Apostoli vulgariter appellati,—quaestum publicum via prohibita vindicantes, virtutalia manibus querere, prout consueverant, non curando. Conc. Trevir. ann. 1310 (Mosheim, p. 235): qui sub praetextu cuiusdam religionis fictae Begardos se appellant, cum tabardis, et tunicis longis, et longis capuciis cum otio intendentes, ac labores manuum detestantes, conventicula inter se aliquibus temporibus faciunt et conservant, seque fingunt eorum personis simplicibus expositorum Scripturarum,—mendicantes discurrunt.

¹⁴ Compare the decrees of Innocent IV. in the year 1245, in favor of the Beguins in Mechlin and Diest, of Cardinal Hugo in 1254 for those of Brussels, of Urban IV. in 1261 for those of Liege, Mosheim, p. 140. However, the Council of Liege, in 1287, decreed (Mosheim, p. 133), quod omnes Beghinae, privilegio Beghinali gaudere volentes, intrent curiam Beghinarum, et praecipimus commorantibus extra curiam Beghinarum, quod distinguant habitum suum ab habitu Beghinarum.

¹ J. B. de la Curne de St. Palaye *mémoires sur l'ancienne chevalerie*, T. 3, Paris, 1759–81. 8 (translated into German by J. C. Klüber, 3 Bde. Nürnberg, 1786–91. 8). Leben und Dichten Wolfram's v. Eschenbach, von San-Marte (Regierungsath Schulz, 2 Bde. Magdeburg, 1836. 41), Bd. 1, Einleitung.

It was the year 1119 when nine knights at Jerusalem first constituted themselves into an ecclesiastical order of knighthood (*Fratres militiae templi, milites or equites Templarii*), under Hugh de Payens (de Paganis) as grand master (*magister militiae*).² St. Bernard quickly spread through the Western World the fame of these new monkish knights.³ They received from the Synod of Troyes, in 1128, the sanction of the Church, and a rule drawn up by St. Bernard;⁴ and increased wonderfully fast in numbers and in wealth.⁵

² Willelmus Tyrensis, lib. xii. c. 7 (in Bongarsii *gesta Dei per Francos*, i. 819), Jacobi de Vitriaco hist. Hieros. c. 65 (l. c. p. 1083).—*Histoire des Templiers* par P. du Puy. Paris, 1650. 4; most fully, Brussels, 1751. 4. K. G. Anton's Vers. einer Gesch. des Tempelherrordens. 2te Aufl. Leipz. 1781. 8. *Histoire crit. et apologétique des Chevaliers du Temple de Jérusalem*, par feu le R. P. M. J. (le Jeune, Prieur de l'Abbaye d'Estival). Paris, 1789. 2 voll. 4. (abridged in German: *Die Ritter des Tempels zu Jerus.* Leipz. 1790. 2 Bde. 8). W. F. Wilken's Gesch. d. Kreuzzuge, ii. 546. Raumer's Gesch. d. Hohenst. i. 487.

[Taaffe, *History of the Military Sovereign Orders of St. John of Jerusalem, Knights Hospitalers, Templars, etc.* 4. Lond. 1852–5. C. G. Addison, *History of Knights Templars*, 3d ed. Lond. 1853. Vertot, *Hist. des chevaliers hospitaliers de St. Jean*. 4, 4. Par. 1761. Falkenstein, *Gesch. d. Tempel Ordens*. Dresd. 1833.]

³ So early as 1125, in epist. 31, he speaks in praise of the entrance of Count Hugo of Champagne into this order. But especially see his *Tractatus de nova militia s. exhortatio ad milites templi* (opp. ed. Mabillon. iv. 98), and also his later epistles, e. g. ep. 173, 392.

⁴ The *Regula pauperum commilitonum Christi templique Salomonici* (prim. ed. A. Miraeus in chron. Cisterciensi. Colon. 1614. p. 43, and from this frequently, e. g. in Lucae Holstenii codex Regularum ed. Brockie, ii. 429, in Mansi xxi. 359) can not have assumed its present form till 1172, see Münter's *Statutenbuch*, s. 6 ff. Wilken, ii. 558, note. Afterward the order imposed on itself at its general chapters special rules, which being intended, in the first place, for the officers of the order, were only partially made known to the rest of the knights, so far as was necessary for each in his own sphere. A collection of these, made between 1247 and 1266, was first brought to light in a translation in Fr. Münter's *Statute Book of the order of the Templars*, vol. i. Berl. 1794, but is now published in the original: *Règle et statuts secrets des Templiers*, publiés par C. H. Maillard de Chambure, Paris, 1840. 8.—Besides the regular knights there belonged also to the order, Capellani—brothers-at-arms (armigeri, frères servans d'armes), and craftsmen (famuli, frères servans de mestier).

⁵ Bernardi tract. de nova militia, cap. 5: *Haec Jerosolymis actitantur, et orbis excitatur. Audiunt insulae, et attendunt populi de longe, et ebulliunt ab Oriente et Occidente tamquam torrens inundans gloriae gentium, et tamquam fluminis impetus lactificans civitatem Dei. Quodque cernitur jucundius, et agitur commodius, paucos admodum in tanta multitudine hominum illo confluere videoas, nisi utique sceleratos et impios, raptiores et sacrilegos, homicidas, perjuros, adulteros: de quorum profectione sicut duplex quoddam constat provenire bonum, ita duplicatur et gaudium, quandoquidem tam suos de suo discessu laetificant, quam illos de adventu, quibus subvenire festinant. Prösunt quippe utrobique, non solum utique istos tuendo, sed etiam illos jam non opprimendo. Itaque laetatur Aegyptus in profectioне eorum, cum tamen de protectione eorum nihilominus laetetur mons Sion, et exultent filiae Judae. Illa quidem se de manu eorum, ista magis in manu eorum liberari se merito gloriatur. Illa libenter amittit crudelissimos sui vastatores, ista cum gaudio suscipit sui fidelissimos defensores; et unde ista dulcissime consolatur, inde illa aequa saluberrime desolatur. Sic Christus, sic novit ulcisci in hostes suos, ut non solum de ipsis, sed per ipsos quoque frequenter soleat tanto gloriosius, quanto et potentius triumphare, etc.*

This example first animated the brethren of the Hospital of St. John in Jerusalem⁶ (*Fratres hospitalis S. Joh.*), who had lived under a rule of their own ever since the year 1099, under their second warden (*Custos* or *Procurator*), Raymond du Puy (de Podio),⁷ to unite such chivalrous activity with their former calling;⁸ and as the latter was thrown more and more into the background by the former, they changed their former office, as ministers of the sick, into that of *Milites hospitalis S. Joannis Hierosolymitani*, or *Hospitalarii*, under a *Magister hospitalis*.⁹

Both orders, favored by Papal privileges,¹⁰ quickly attained regal possessions and power; but just as quickly military roughness, with monastic ignorance and selfishness, were introduced in the place of their earlier enthusiasm. Continually divided by the clashing

⁶ Concerning their origin after the year 1048, see *Willelm. Tyr.* lib. i. c. 10; xviii. c. 4 ss. *Jac. de Vitriaco*, c. 64. *Wilken*, ii. 539. *Raumer*, i. 485.—*L'histoire des Chevaliers hospitaliers de s. Jean de Jérusalem par l'Abbé de Vertot.* Paris (1726. 4 voll. 4), 1761. 7 voll. 8. *Gesch. d. Maltheserordens nach Vertot von N. (Niethammer).* Jena, 1792. 2. Th. 8.

⁷ In 1118 Raymund gave the Society a more comprehensive rule (in *Holstenius-Brockie*, ii. 445), in which, however, there is no mention made of knighthood.

⁸ *Jac. de Vitriaco*, c. 65, toward the end: *Praedicti autem hospitalis Fratres ad imitationem Fratrum militiae Templi armis materialibus utentes, milites cum servientibus in suo collegio receperunt.* The year is not known. So early as 1130, *Innocent II.* says, in a Bull with which he confirmed the institution (in *Vertot*, i. 586): *Fratres ejusdem domus, non formidantes pro fratribus suis animas ponere, cum servientibus et equitaturis ad hoc specialiter deputatis et propriis sumitibus retentis, tam in eundo quam redeundo ab incursibus Paganorum defensant.*

⁹ In the rule of 1118 Raymund styles himself still, *Custos hospitalis Jerosolymitani*, and in a document of 1130 (in *Andr. de Dandolo chron. in Muratori scriptt. rer. Ital. xii. 276*) he subscribes himself *Procurator hosp. Hieros.*

¹⁰ The privileges of the knights of St. John are collected in the Bull of *Anastasius IV. Christianae fidei religio dd. xii. Kal. Nov. 1154* (in *Mansi xxi. 780*). They are sub. b. Petri tutelâ, they may build on their lands, Ecclesiæ, oratoria, and coemeteria: quicunque in vestra fraternitate fuerit receptus, si forte Ecclesia, ad quam pertinet, a divinis officiis fuerit prohibita, eumque mori contigerit, eidem sepultura ecclesiastica non negetur. —Si qui Fratrum vestrorum ad recipiendum fraternitates et collectas a vobis missi ad aliquam civitatem, castellum, vel vicum advenerint, si forte locus ille a divinis officiis sit interdictus,—in eorum juvendo adventu semel in anno aperiantur Ecclesiæ, et exclusis excommunicatis divina ibi officia celebrentur.—De laboribus, quos vestris sumptibus colitis, nullus omnino clericus, vel laicus decimas a vobis exigere praesumat. Statuimus, ut nulli Episcopo in Ecclesiis vobis subditis interdicti, suspensionis vel excommunicationis sententiam liceat promulgare. Verumtamen si generale interdictum fuerit in locis illis prolatum, exclusis excommunicatis et nominatim interdictis, clausis januis, absque campanarum pulsatione, plane divina officia celebrentur. The order was allowed to have its own clericos et sacerdotes. Idem vero clerici nulli personæ extra vestrūm capitulum, nisi Romano Pontifici, sint subjecti, and so forth. *Alexander III.* granted the same privileges, often in the same words, in the Bull *Omne datum optimum*, dd. vii. Idus Jan. 1162 (in *Rymeri foedera et acta publica inter Reges Angliae et alios Principes*, vol. i. P. i.), also to the Templars.

interests of their orders, and not unfrequently at open war with each other,¹¹ they fought more for the honor and advantage of their orders than for the Holy Land. They abused the privileges of their order, to set at defiance the rights of bishops;¹² they

¹¹ So early as 1179 a peace had to be negotiated between them by Alexander III., see Wilcke, Gesch. d. Tempelh. I, 82.—There was open war between the two orders at Acre from 1241 to 1243 (the same author, s. 177). The overthrow of the Templars in the year 1259 by the Hospitalers is recorded by Matth. Paris, p. 987, Wilcke, i. 201 (compare the quarrels of the mendicant orders among themselves, § 69, note 14).

¹² Concerning the Templars Willelm. Tyr. writes, about 1180, lib. xii. c. 7: *Quorum res adeo crevit in immensum, ut hodie trecentos plus minusve in conventu habeant equites, alibus chlamyibus indutos, exceptis Fratribus, quorum paene infinitus est numerus. Possessiones autem tam ultra, quam citra mare adeo dicuntur immensas habere, ut jam non sit in orbe christiano provincia, quae praedictis Fratribus bonorum suorum portionem non contulerit; et regiis opulentissimis pares hodie dicantur habere copias.* —*Qui cum diu in honesto se conservassent proposito, professioni suae satis prudenter satisfacientes, neglecta humilitate —domino Patriarchae Hierosolymitano, a quo et Ordinis institutionem et prima beneficia suscepserant, se subtraxerunt, obedientiam ei, quam eorum praedecessores eidem exhibuerunt, denegantes: sed et Ecclesiae Dei, eis decimas et primitias subtrahentes, et eorum indebito turbando possessiones, facti sunt valde molesti.* (On the most remarkable grants, see Wilken, ii. 561. Schlosser, III. i. 183.) Of the Hospitalers, Willelm. Tyr. xviii. c. 3, complains that they, even under Raymund, *tam domino Patriarchae, quam caeteris Ecclesiarum Praetaliis, multas tam super parochiali jure, quam super jure decimationum cooperunt inferre molestias: nam —excommunicatos—ad divinorum celebrationem—recipiebant.* —*Ob enormia vero commissa, si quando silentium Ecclesiis universis—imponebatur, hi primum et campanarum pulsatione et vociferatione solito majore interdictos populos ad divina vocabant.* —*Sacerdotes suos nec admittentes—locorum Episcopis praesentabant, nec abipientes —hoc notum faciebant Episcopis.* —*De praediis autem suis, et universis redditibus—omnino decimas dare negabant.* —*Insuper quotiescumque de more dominus Patriarcha, ut ad populum loqueretur, ad locum, in quo mundi Salvator pro salute nostra peperit (the Church of the Holy Sepulchre, opposite to which the Hospitalers were quartered)—ascendebat, ipsi—pulsatis campanis tot, tantis, tam studiose, et tam diu, ut nec domini Patriarchae sermo sufficeret ad clamandum, nec populus eum, licet multum laborantem, audire merebatur.* —*Usque ad eam temeritatem—pervenerunt, ut armis correptis, tamquam in domum alieujus gregarii, irrumperent in praedictam Deo amabilem Ecclesiam, et sagittas tamquam in speluncam latronum jacularentur multas.* —*Hujus autem tanti mali primitivam originem Romana Ecclesia, licet fortasse nesciens, nec multo ponderans libramine, quid ab ea peteretur, diligenter considerantibus videtur intulisse: nam locum praedictum a domini Patriarchae Hierosolymitani jurisdictione, cui diu et merito subjacerat, emancipavit indebito: ut nec ad Deum timorem, nec ad homines, nisi quos timent, habeant reverentiam.* The Patriarch Fulcherius traveled in person to Rome in 1155 to complain of this, but he met with a haughty repulse, Willelm. Tyr. l. c. cap. 6–8. Then, cap. 7: *Papa munericibus infinitis corruptus in partem Hospitaliorum dicebatur se dedisse proclivem, qui jam ad eum multo ante praevenerant.* At last Alexander III. listened to the universal complaints, Conc. Lateran. III. ann. 1179, c. 9 (Mansi xxii. 222): *Fratum et Coepiscoporum nostrorum vehementi conquestione comperimus, quod Fratres templi et hospitalis, alii quoque religiosae professionis, indulta sibi ab apostolica sede excedentes privilegia, contra episcopalem auctoritatem multa praesumant, quae et scandalum generant in populo Dei, et grave pariunt periculum animarum.* Proponunt enim, quod Ecclesiis recipient de manibus laicorum, excommunicatos et interdictos ad ecclesiastica sacramenta et sepulturam admittant, in Ecclesiis suis praeter eorum conscientiam et instituant et amovent sacerdotes, et Fratribus eorum ad eleemosynas quaerendas euntibus, cum indultum sit eis, ut in adventu eorum semel in anno Ecclesiae aperiantur, atque in

thought they discharged its duties by purely warlike qualifications. Hence the frequent complaints of the time on the immorality, faithlessness, and pride of these knights, particularly the Templars.¹³

eis divina celebrentur officia, plures ex eis de una sive diversis domibus ad locum interdictum saepius accedentes, indulgentia privilegiorum in celebrandis officiis abutuntur, et tunc mortuos apud praedictas Ecclesias sepelire praesumunt. Occasione quoque fraternitatum, quas in pluribus locis faciunt, robur episcopalis auctoritatis enervant, dum contra eorum sententiam sub aliquorum privilegiorum obtentu munire cunctos intendunt, qui ad eorum fraternitatem volunt accedere et se conferre. So also Innocentii III. lib. x. ep. 121, ad Magistrum milit. templi, ann. 1208: cupiditatis aestibus anhelantes non declinant mendacia, dum utentes doctrinis daemoniorum, in cujuscunque trutanni (truand, vagabond) pectore Crucifixi signaculum imprimunt, et cum eis ad praedicandum euntes, onusti pondere peccatorum, jam non curant quasi longam restem addere peccata peccatis, asserentes, quod quicunque, duobus vel tribus denariis annuis collatis eisdem, se in eorum fraternitatem contulerint, carere de jure nequeant ecclesiastica sepultura, etiamsi fuerint interdicti: ac per hoc adulteri, usurari manifesti, et alii criminosi, suppositi ecclesiastico interdicto, ex hujusmodi insolentia in eorum cimiteriis quasi fideles et catholici tumultuantur. The case was the same with the Hospitalers, see Gregorii IX. ep. below, note 13.—King Henry III. of England addressed the Magister hospitalis to his face (Matth. Paris, ann. 1252, p. 854): Vos praelati et religiosi, maxime tamen Templarii et Hospitalarii, tot habetis libertates et chartas, quod superfluae possessiones vos faciunt superbire, et superbientes insanire. Revocanda sunt igitur prudenter, quae imprudenter sunt concessa, et revocanda consulte, quae inconsulte sunt dispersa. And he answered him stoutly: Quam diu justitiam observas, rex esse poteris: et quam cito hanc infregeris, rex esse desines.

¹³ How much these orders preferred their own interest to that of the Church, the Templars showed in 1155, when they delivered up Nazreddin to his enemies for 60,000 gold florins, though he was on the point of becoming a Christian, Guil. Tyr. xviii. 9. When the ambassador, by whom the old man of the mountain intended to negotiate with King Almerick his accession to Christendom, was put to death by a Templar in 1173, and thereby the whole design frustrated, common opinion laid the blame of the deed on the whole order, which had drawn an annual tribute from the Assassins, Guil. Tyr. xx. 31. Wilcke, Gesch. der Tempelh. i. 71.—Innocent III. writes of the Templars (lib. x. ep. 121, ad Magistrum Milit. templi) in 1208: Proh dolor, jam non moderate utentes mundo velut religiosi homines propter Deum: sed ut suas impleant voluptates, religionis imagine utuntur solummodo propter mundum. Et eum debuissent aliis esse odor vitae in vitam, facti sunt odor mortis in mortem. He declares that, per haec et alia nefanda, quae idecirco pleniū exaggerare subsistimus, ne cogamur gravius vindicare, apostolicis privilegiis, quibus tam enorimenter abutuntur, essent merito spoliandi. When the Hospitalers supported the Greek emperor, John Vatazes, against the Latin empire at Constantinople, Gregory IX. writes, ad Magistrum hospitalis (in Raynald. ann. 1238, no. 32): Dolemus et turbati referimus, quod, sicut intelleximus, vos meretrices in vestris casalibus sub certis appatationibus retinentes incontinenter vivitis, et proprium praesumentes improprie possidere, eorum, qui confrateriam vestram assument, datis in annis quatuor aut pluribus denariis, defensores vos facitis, ac latrones et intersectores peregrinorum, et hereticos in vestris domibus et casalibus receptatis; Vatacio Dei et Ecclesiae inimico in equis et armis, terris propter hoc et casalibus ab ipso receptis, praebere contra Latinos auxilium non veremini; consuetas pauperum eleemosynas diminuitis, testamenta et alias ultimas voluntates in hospitali vestro decadentium non sine falsitatis vitio immutatis, ac infirmantes ibidem aliis sacerdotibus, quam fratribus vestris et capellanis conductitiis, quos habetis, non permittitis sine vestra speciali licentia confiteri; alia plura committentes enormia, per quae Deus offenditur, et scandalum in populo generatur. *Caeterum plures ex fratribus vestris de haeresi probabili haberi dicuntur ratione suspecti.* The Emperor Frederick II., ad Richard. Com. Cornubiae (in Matth. Paris, ann. 1244, p. 619), writes of the Templars:

After the conquest of Ptolemais in 1291, they first withdrew to Cyprus: then the hospitalers (1309) established themselves in Rhodes: the Templars, however, betook themselves to their possessions in the West, and made Paris their principal abode.

In imitation of these great orders, the war with the Moors in the Peninsula of the Pyrenees, in the 12th century, brought into being other lesser orders of ecclesiastical knighthood, which for the most part stand in a remarkable connection with the Cistercians.¹⁴

Templariorum superba religio, et aborigenarium terrae Baronum deliciis educata, superbit. —They had advanced so far, ut Soldanos Damasci et Craccy—in suum praesidium contra Choerminorum exercitum ac Soldani (Babyloniae)—advocarent inhonestis eodem blanditus; adeo quod, prout nobis per nonnullos religiosos, venientes de partibus transmarinis, constituit evidenter, infra claustra domorum Templi praedictos Soldanos et suos cum alacritate pomposa receptos, superstitiones suas, cum invocatione Machometi, et luxus saeculares facere Templarii paterentur. Wilcke, Gesch. d. Tempelh. i. 181, understands the passage incorrectly of the admission of the Sultans into the order. It only states that the Mohammedan allies were received into the houses of the order, and allowed even there to celebrate their religious worship.

¹⁴ On these see Histoire des Ordres militaires (Amsterd. 1721. iv. voll. 8.), T. ii. and iii. Aschbach's Gesch. Spaniens u. Portugals' zur Zeit d. Almoraviden u. Almohaden, ii. 13, 288. To the Militia sacra Ordinis Cistertiensis (the origin, constitutions, and privileges of which may be seen in Chrysost. Henriquez regula, constitutiones, et privilegia Ordinis Cistertiensis, Antwerp, 1630. fol. p. 475), belonged, 1. Ordo de Calatrava, founded by the Cistercian abbot Raymundus, Abbas s. Mariae de Fitero, when Sancho III., king of Castile, granted to his order in 1158 the city of Calatrava, which was threatened by the Moors (Henriquez, p. 484. Histoire des Ordres milit. iii. 1). 2. Ordo s. Juliani de Pereyro, founded by two knights about 1156. It received in 1176 the confirmation of King Ferdinand II. of Leon, in 1177 that of the Pope; and after that the strong-hold of Alcantara was given up to it, in 1218, it took the name Ord. de Alcantara (Henriquez, p. 505. Histoire des Ord. milit. iii. 50). These two orders observed all the monastic vows, until Paul III., in 1540, allowed them to marry, and only imposed on them the vows, obedientiae, castitatis conjugalis et conversionis Morum. The case was otherwise with the two following orders in Portugal, the same obligations were laid upon their members as on the *conversi* of the Cistercian order. 3. In the year 1162, the Cistercian abbot, John Cirita (see the document in Henriquez, p. 481), founded a militia Equitum, quibus munus sit, religionem defendere in bello, caritatem exercere in pace, *castitatem servare in toro*, et *terram Maurorum continuis incursionibus vastare*, et habitum portare signum religionis prae se ferentem, caputum scilicet parvae magnitudinis, cum scapula taliter facta, quod in conflictu pugnantes non impedit. To insure the supremacy of the Cistercians, it was decreed: Si aliquis Militum, dum ambulat, invenerit aliquem Abbatem Ordinis Cistertiensis, reliquo equo humiliiter accedat, et petat benedictionem, et comitem se offerat itineris. Si pertransierit per loca, castria, seu civitates, ubi fuerint Milites hujus societatis, tempore pacis aut belli, Dux arcis offerat ei claves. Juxta dispositionem ejus gubernentur omnia tempore, quo ibi fuerit. Monachi Cistertienses tamquam fratres suscipiantur, et omnia caritatis officia exhibeantur eis. Alfonso I., king of Portugal, granted to these knights in 1166 the town of Evora (thence the name Milites Ebora). In 1181 they built the Castle of Avis, and received from it the name Milites de Avis, ordo Avisius, cf. Hist. des Ordres milit. ii. 384. Schafer's Gesch. v. Portugal, i. 83.—4. In the year 1167 or 1171, Alfonso I., king of Portugal, is said to have founded the order of the Wing of St. Michael (Milites s. Michaclis, s. Mil. de Ala.; cf. Henriquez, p. 483. Hist. des Ordres

During the siege of Ptolemais in the year 1190, there rose the order of German knights (Eques Teutonici hospitalis s. Mariæ Virginis Hierosolymitani);¹⁵ these, however, so early as the year 1226, withdrew into Prussia, to conquer the heathen inhabitants of this country; and here in 1237 they united themselves with the order of Brethren of the Sword (Fratres militiae Christi s. Gladiferi),¹⁶ founded by Albert, bishop of Livonia, in 1202, against the unbelieving Livonians.

Of less importance was the order of Fratres de militia Jesu Christi, which was formed under the direction of the Dominicans (1220) for the war against the Albigenses in Southern France, and afterward spread itself especially in Northern Italy, from 1261, under the name of Ordo Militiae b. Mariae Virginis, though more often called La Milizia Gaudente (Frati Gaudenti, Fratres Gaudentes).¹⁷

milit. iii. 45): however, this order vanished again immediately, if, indeed, it ever came into being, Schafer, i. 93. Aschbach, ii. 20.—Besides these orders of knighthood, which sprung up in connection with the Cistercians, there arose in 1161, in Gallicia, the Militia s. Jacobi, at first intended for the protection of the pilgrims to Compostella (called in Jac. a Vitriaco hist. Occ. c. 26, Fratres de Spatha, now Cavalleria de Sant Jago de la Spada). Alexander III. confirmed their rule in 1175 (see the Privileges, epist. 20, in Mansi xxi. 1049, renewed by Innocent III. lib. xiii. ep. 11). *Eo utique moderamine propositum suum et Ordinem temperantes, ut—habeantur in ipso Ordine, qui coelibem ducant vitam;—sint etiam, qui juxta institutionem dominicam ad procreandam sobolem, et incontinentiae praecepitum evitandum, conjugibus suis utantur.—Ad suscipiendam prolem,—qui continere nequiverit, conjugium sortiatur, et servet inviolatam fidem uxori, et uxor viro, ne tori coniugalis continentia violetur.*

¹⁵ Cf. Petri de Dusburg (about 1326), chronicon Prussiae s. hist. Ord. Teuton. (1190-1326), ed. Christoph. Hartknoch, Jenae, 1679. 4.—Raym. Duellii hist. Ord. Equitum Teutonic. Vindob. 1727. fol.—Hist. de l'Ordre teutonique. *Pár un Chevalier de l'Ordre (Comthur Freih. v. Wal.).* Paris et Rheims, 1784; ss. viii. voll. Joh. Voigt's Gesch. Preussens bis zum Untergange der Herrschaft des deutschen Ordens, 9 Bde. Königsberg, 1827-39.—Die Statuten des deutschen Ordens nach dem Originalexemplar (according to the revision of 1442), herausg. v. E. Hennig, Königsberg, 1806. 8. Recherches sur l'ancienne constitution de l'ordre teutonique par l'auteur de l'histoire de l'ordre teutonique, 2 Tomes à Mergentheim, 1807. Das Ordensbuch der Brüder vom deutschen Hause St. Marien zu Jerusalem, in der ältesten (bekannten) Abfassung, herausgegeben v. O. F. H. Schonhuth, Heilbronn, 1847. The order received from Honorius III. dd. 15. Dec. 1220, the same privileges as the knights of St. John and the Templars, see the Bull in Duellius selecta privil. no. 1.

¹⁶ Compare the two contemporaries Arnoldi Lubec, chron. vii. c. 9, and Henrici Letti (a Lettland) origines Livoniae sacrae et civiles ed. J. D. Gruber, Francof. et Lips. 1740. fol. p. 21.—H. A. G. de Pott comm. de Gladiferis s. de Fratribus militiae Christi in Livonia. Erlangen, 1806. 8.

¹⁷ Istoria de' Cavalieri Gaudenti di Fr. Dom. Maria Federici. In Vinegia, 1787. 2 voll. 4. Hüllmann's Städtewesen des Mittelalters, iii. 127.

FOURTH CHAPTER.

HISTORY OF THEOLOGICAL SCIENCE.

I. SCHOLASTIC AND MYSTIC THEOLOGY.

Bossuet's Einl. in die Gesch. der Welt u. d. Religion, fortges. v. J. A. Cramer. Th. 5, Bd. 2, s. 328 ff. Th. 6 u. 7. Tiedemann's Geist der speculativen Philosophie, Th. 4 u. 5. Tenneman's Gesch. d. Philos. B. 8. H. Ritter's Gesch. der christl. Philosophie, Th. 3 u. 4.

[Marbach, Gesch. d. Phil. Th. 2. Ozanam, Dante, etc. Hauréau, de la phil. scholast. 2. 8. Paris, 1850. Hampden, Bampton Lect. 3d ed. 1848. Gass, W. Die Mystik d. Nicolaus Calasitas, vom Leben in Christo, 1849. Christian Doctrine and Practice in 12th century, in "Small Books on great Subjects," No. xvii].

§ 73.

FIRST PERIOD OF SCHOLASTIC THEOLOGY DOWN TO ALEXANDER OF HALES, ABOUT 1230.

Cousin's Introduction to the Ouvrages inédits d'Abélard, Paris, 1836. 4. (Cousin über die erste Periode d. Scholastiker, dem wesentl. Inhalte nach mitgetheilt v. Dr. Engelhardt in Niedner's Zeitschr. f. d. hist. Theol. 1846. i. 56.) J. A. Bornemann Anselmus et Abaelardus, s. initia scholasticismi. Havniae, 1840.

Ever since the controversy between Lanfranc and Berengarius on the doctrine of the Lord's Supper (see above, Part 1, § 29), the relish for logical treatment of theology spread with surprising speed; and now the scholastic theology¹ began to develop itself in strong contrast with the ancient in form also, confining as it did its method of teaching to tradition alone (*theologia positiva*), and henceforth for four whole centuries to employ the most distinguished abilities. Aristotle and Augustine always remained the principal guides of the schoolmen. But in the first of the three periods into which their history divides itself,² Aristotle was their teacher in

¹ Papias Vocabulista (about 1053), in his *Vocabularium*, explains the word *Scholasticus* by *eruditus, literatus, sapiens*. The dialectic theology was considered the pinnacle of all wisdom. On the nature of the Scholastic Divinity, see Hegel's *Vorles. über die Geschichte d. Philosophie*, Werke, xv. 132. Staudenmaier's Joh. Scotus Erigena, s. 366. Kliesth's Einl. in die Dogmengesch. s. 181. Ritter's Gesch. d. christl. Philos. ii. 111, also the works of Hampden and Hauréau, referred to above.

² Thus Lamb. Danaeus first divided them in his prolegg. in P. Lombardi sentent. c. 2 (in ejusd. opuscc. theolog. Genev. 1583. fol. p. 1104 ss.), according to the analogy of the three-fold academy.

logic only,³ Augustine was the source of their philosophy, as well as of their theology, and so it was essentially Platonic.⁴ The problem of the being of Universals, which presents itself in Porphyry's Introduction,⁵ was seized on by them with peculiar earnestness, and gave rise to the party-names of Realists and Nominalists.⁶ Lanfranc's distinguished disciple Anselm (1063 Prior and Scholastic, 1078 Abbot of Bec, 1093 Archbishop of Canterbury † 1109),⁷ who may be regarded as the first of the schoolmen, was a

³ Jourdain *recherches crit. sur l'âge et l'origine des traductions latines d'Aristote.* Paris, 1819 (translated, with additions and corrections, by Dr. A. Stahr, Halle, 1831), nouv. édit. revue et augm. 1843. Cousin has, however, demonstrated that even Abelard had only the Introduction of Porphyry, and the first two treatises of the Organon on the categories and propositions, in the translation of Boethius, and that John of Salisbury was the first to become acquainted with the entire Organon, Cousin, introduction, p. li.

⁴ Abelard was acquainted with the Platonic philosophy from Macrobius also; other writers had Plato's Timaeus, see Cousin *ouvrages inédits d'Abélard*, p. 646.

⁵ Porphyrii *introductio interpr. Boethio init.* (Boethi opp. ed. Basil. 1570. fol. p. 50): *Cum sit necessarium, Chrysaori, et ad eam quae est apud Aristotelem praedicamentorum doctrinam, nosse quid sit genus, quid differentia, quid species, quid proprium, et quid accidentis; et ad diffinitionum assignationem, et omnino ad ea quae in divisione et in demonstratione sunt, utili istarum rerum speculatione, compendiosam tibi traditionem faciens tentabo breviter, velut introductionis modo, ea quae ab antiquis dicta sunt aggredi, ab altioribus quidem quaestionibus abstinens, simpliciores vero mediocriter conjectans.* *Mox de generibus et speciebus illud quidem sive subsistant sive in solis nudis intellectibus posita sint, sive subsistentia corporalia sint an incorporalia, et utrum separata a sensibilibus, an in sensibiliibus posita et circa haec consistentiā, dicere recusabo.* *Altissimum enim negotium est hujusmodi, et majoris egens inquisitionis.* (Porphyrius. Αντίκα περὶ γενῶν τε καὶ εἰδῶν, τὸ μὲν εἴτε ὄφεστηκεν εἴτε καὶ ἐν μόναις ψιλαῖς ἐπινοίαις κεῖται, εἴτε καὶ ὄφεστηκότα σώματα ἔστιν ἡ ἀσώματα, καὶ πότερον χωριστά ἡ ἐν τοῖς αἰσθητοῖς καὶ περὶ ταῦτα ὄφεστῶτα, παραιτήσομαι λέγεν· βαθυτάτης οὖστις τῆς τοιαύτης πραγματείας, καὶ ἀλλης μείζονος δεομένης ἐξετάσεως.) Cousin, introd. p. lx. The question here only embraces the reality of genera and species, but even Boethius in his commentary, and after him the Schoolmen, extend it also to the three other universals, to differentia, proprium, and accidentes. Cousin, p. lxvi.

⁶ Concerning Realism and Nominalism, see Cramer, V. ii. 404. Meiners *de Nominalium ac Realium initii atque progressu* (in Comm. Soc. Gotting. class. hist. et phil. xii. 24). Eberstein über die Beschaffenheit d. Logik u. Metaphysik d. reinen Peripatetiker, Halle, 1800. Anhang, s. 91. Baumgarten-Crusius *de vero Scholasticorum Realium et Nominalium discrimine, et sententia theologica* (Jenaisches Pfingstprogramm, 1821. 4.). Staudenmaier's Joh. Scotus Erigena, i. 455. Baur's christl. Lehre v. d. Dreieinigkeit u. Menschwerdung Gottes in ihrer geschichtl. Entwicklung, ii. 416. Engelhardt's Richard v. St. Victor und Joh. Ruysbroek, s. 309. Franck's Anselm von Canterbury, s. 101. Fr. Exner über Nominalismus und Realismus, Prag, 1842. 4. (reprinted from the transactions of the Bohemian Scientific Association). Johannes Saresberiensis Policrat. vii. 12, calls the question about Universals, veterem quaestionem, in qua laborans mundus jam senuit, in qua plus temporis consumptum est, quam in acquirendo et regendo orbis imperio consumserit Caesarea domus; plus effusum pecuniae, quam in omnibus divititis suis possederit Croesus. Haec enim tamdiu multos tenuit, ut cum hoc unum tota vita quaerent, tandem nec istud nec aliud invenirent. [Thomson, *Laws of Thought*, p. 107–120. Secretain, in *Révue de théol.* 1540.]

⁷ Among his writings, besides those to be referred to in note 10, the following are

faithful follower of Augustine,⁸ a realist like him,⁹ and although himself the founder of natural theology,¹⁰ he labored nevertheless to preserve the faith uncompromised by any philosophical researches.¹¹ When Rosecellin, canon at Compiegne, led away by

worthy of note: *Cur Deus homo?* libb. ii. *De conceptu virginali et originali peccato*, etc. (There are extracts in Schröckh, xxviii. 376), *Epistol.* libb. iii. Opp. ed. Gabr. Gerberon. Paris, 1675, new edition by the Benedictines, ib. 1721. 2 voll. fol.—*Vita Anselmi*, libb. ii. by his disciple Eadmer or Edinerus in the Opp. and Act. ss. April. ii. 866, which may be generally consulted from p. 685 to the 21st Apr. Mohler's *Anselm*, Erzb. v. Canterbury, in dess. *Schriften u. Aufsatzen*, herausgeg. v. Dollinger, i. 32. Gu. R. Veder, diss. de *Anselmo Cant.* Lugd. Bat. 1832. P. C. Rothe de vita at gestis *Anselmi* diss. Havn. 1840. J. A. Bornemann *Anselmus et Abaelardus*, s. initia scholasticismi, Havn. 1840. G. F. Franck's *Anselm v. Canterbury*, Tübingen, 1842. F. R. Hasse's *Anselm v. Canterbury*, Th. 1. Leben, Leipzig, 1843 (his *doctrina Anselmi Cant. de imagine divina* in Illgen's *Zeitschr. f. d. hist. Theol.* 1835, ii. 184).

[The second part of Hasse's *Anselm* appeared in 1852, cf. Kling in *Stud. und Kritiken*, 1853; a transl. of the first part, abridged by Turner, Lond. 1850. *Anselm's Proslogion*, translated by P. S. Maginnis in *Bib. Sacra*, 1851, with *Gaunilo's Reply* and *Anselm's Apology*. His *Cur Deus Homo* is translated in the same periodical by J. G. Vose, 1854—5.—M. de Rémusat, *Saint Anselm de Canterb.* Par. 1852; cf. Saisset in *Révue des deux Mondes*, May, 1853.—*St. Anselm* par M. A. Charma of Caen. Paris, 1853.]

⁸ Thus he states himself of his *Monologium*, lib. i. epist. 68, ad Lanfrancum: *Haec mea fuit intentio per totam illam qualemque disputationem, ut omnino nihil ibi assererem, nisi quod aut canonicas, aut b. Augustini dictis incunctanter posse defendi viderem: et nunc quotiescumque ea que dixi retracto, nihil aliud me asseruisse percipere possum.*

⁹ *Augustin. de diversis* (83) *quaestionibus*, qu. 46, § 2: *Ideas igitur latine possumus vel formas vel species dicere, ut verbum e verbo transferre videamur. Si autem rationes eas vocemus, ab interpretandi quidem proprietate discedimus: rationes enim græce λόγοι appellantur, non ideae: sed tamen quisquis hoc vocabulo uti voluerit, a re ipsa non aberrabit. Sunt namque ideæ principales formæ quaedam, vel rationes rerum stabiles atque incommutabiles, quæ ipsæ formatae non sunt, ac per hoc aeternæ ac semper eodem modo sese habentes, quæ in divina intelligentia continentur.*—*Quis audeat dicere, Deum irrationaliter omnia condidisse?*—*Singula propriæ sunt creata rationibus.* *Has autem rationes ubi arbitrandum est esse, nisi in ipsa mente creatoris?*—*Quod si hæ rerum omnium creandarum creatarumve rationes in divina mente continentur, neque in divina mente quidquam nisi aeternum atque incommutabile potest esse; atque has rerum rationes principales appellat ideas Plato: non solum sunt ideæ, sed ipsæ vere sunt, quia aeternæ sunt, et ejusmodi atque incommutabiles manent; quarum participatione fit, ut sit quidquid est, quoquo modo est.* *Sed anima rationalis inter eas res, quæ sunt a Deo conditæ, omnia superat, et Deo proxima est, quando pura est: eique in quantum caritate cohaeserit, in tantum ab eo lumine illo intelligibili perfusa quodammodo et illustrata certit—per intelligentiam suam istas rationes, quarum visione fit beatissima.* Cf. *Anselmi monologium*, c. 9 ss.

¹⁰ Compare his *monologium* and *proslogion*, on the existence of God and the Trinity (J. G. F. Billroth de *Anselmi Cant. proslogio et monologio* diss. hist. crit. Lips. 1832). Against *Gaunilo's*, a monk in Marmontiers, liber pro insipiente adv. *Anselmi* in *proslogio ratiocinationem* (in *Anselmi* opp.) he defends himself in the liber apologeticus contra *Gaunilonem*, respondentem pro insipiente. Cramer, V. ii. 352. Tiedemann, iv. 253. Tennemann, viii. 114. Ritter, iii. 324. [Cf. *Bib. Sacra*, 1852.]

¹¹ E. g. *Anselmi* lib. ii. ep. 41 ad Fulconem Ep. Belvac. (also in Mansi xx. 741): *Christianus per fidem debet ad intellectum proficere, non per intellectum ad fidem accedere, aut si intelligere non valet, a fide recedere. Sed cum ad intellectum valet pertingere, delectatur: cum vero nequit, quod capere non potest, veneratur.* *Proslogion*, c. I. in fine:

his Nominalism, seemed to convert the Trinity into Tritheism, Anselm encountered him, and at the Synod of Soissons (1092) compelled him to recant.¹² In consequence of this, Nominalism drew upon itself the suspicion of being perilous to orthodoxy, and so Realism for a long time had the upper hand.¹³

From the beginning of the 12th century Paris was the chief seat of scholastic theology. While hitherto nothing more than the Trivium and Quadrivium were taught in the schools, distinguished teachers of philosophy and theology, induced by the newly-awakened zeal for philosophic divinity, apart from the ca-

Neque enim quaero intelligere, ut credam ; sed credo, ut intelligam. Nam et hoc credo, quia nisi credidero, non intelligam. De fide Trinitatis, c. 2, he zealously rebukes eorum presumptionem, qui nefanda temeritate audent disputare contra aliquid eorum, quae fides christiana confitetur, quoniam id intellectu capere nequeunt : et potius insipienti superbia judicant nullatenus posse esse, quod nequeunt intelligere, quam humili sapientia fateantur, esse multa posse, quae ipsi non valeant comprehendere.—*Prius ea quae carnis sunt postponentes, secundum spiritum vivamus, quam profunda fidei dijudicando discutamus :* nam qui secundum carnem vivit, carnalis sive animalis est, de quo dicitur : *animalis homo non percipit ea, quae sunt spiritus Dei* (1 Cor. ii. 14). Qui vero spiritu facta carnis mortificat, spiritualis efficitur, de quo legitur, quia *spiritualis omnia judicat, et ipse a nemine judicatur* (1 Cor. ii. 19).—Qui non crediderit, non intelliget. Nam qui non crediderit, non experietur : et qui expertus non fuerit, non intelliget. Thus he complains, cap. 3, de dialecticis modernis, qui nihil esse credunt, nisi quod imaginationibus comprehendere possunt. Every where he holds to the maxim of St. Augustine: fides praeceps intellectum, and in his book de fide Trin. c. 2, quotes in support of it, as Augustine does himself, the false translation in the Vulgate Isai. viii. 9 : *nisi credideritis, non intelligetis* (Augustin. exposit. in Evang. Joh. tract. 29, c. 7: *Noli querere intelligere, ut credas, sed crede, ut intelligas, quoniam nisi credideritis, non intelligetis*).

¹² Neither Roscellin's (or Ruzelins) works, nor the acts of the Synod of Soissons, are now extant. The only sources of information on this controversy are Joannis mon. epist. ad Anselmum (in Baluz. miscell. lib. iv. p. 478), in which he sends him intelligence of Roscellin's heresy. Hanc de tribus deitatis personis quaestionem Rocelinus de Compendio movet. Si tres personae sunt una tantum res (a Reality) et non sunt tres res per se, sicut tres angeli, aut tres animae, ita tamen ut voluntate et potentia omnino sint idem, ergo Pater et Spiritus sanctus cum Filio incarnatus est. Dicit enim huic sententiae dominum Lanfrancum Archiepiscopum concessisse, et vos concedere se disputante. Cf. Anselmi lib. ii. ep. 35 ad Joannem, and ep. 41 ad Fulconem Ep. Bellov. Not till after the Synod of Soissons, as Archbishop of Canterbury, did he write his liber de fide Trinitatis et de incarnatione verbi contra blasphemias Ruzelini. Here he first states Roscellin's heresy in the words of the above-mentioned John (cap. 1); but he remarks, cap. 3: Sed forsitan ipse non dicit: *sicut sunt tres animae aut tres angeli*: sed ille, qui mihi ejus mandavit quaestionem, hanc ex suo posuit similitudinem: sed solum tres personas affirmat esse tres res sine additione alicuius similitudinis. Baur's Lehre v. d. Dreieinigkeit, ii. 400. C. Schwarz de s. Trinitate quid senserint doctores eccles. prima scholasticae theologiae periodo, Halis, 1842, p. 22. Schmeller on an epistle of Roscellin to Peter Abelard discovered at Munich, in which he also enters into the Doctrine of the Trinity, see Münchener gel. Anzeigen, December, 1847, s. 993. [Cf. Engelhardt in Niedner's Zeitschrift f. d. hist. Theol. 1855.]

¹³ Joannes Sarisbur. in metalogico, lib. ii. c. 17, p. 814: Alius ergo consistit in vocibus, licet haec opinio cum Rocelino suo fere omnino jam evanuerit, etc.

thedral and monastic schools, yet to a certain degree in connection with them, now came forward in this city with lectures on these sciences. When by degrees professorial chairs for canon law and medical science had been likewise established, the first university (*studium generale* or *universale*)¹⁴ was formed by the union of these professorships with each other. In imitation of this, similar institutions arose in other countries also during the 13th century. For scholastic theology, from the year 1200, Oxford was the most famous among these next after Paris.

In the beginning of the 12th century, the Archdeacon William, of Champeaux (de Campellis),¹⁵ taught rhetoric, dialectics, and theology, in the Cathedral school at Paris, with great reputation, until his pupil, Peter Abelard, from 1108, cast him into the shade.¹⁶ The further Abelard pursued his specula-

¹⁴ Caes. Egassii Bulaei hist. Universitatis Parisiensis. 6 voll. Paris. 1665–1673 fol. Crevier hist. de l'université de Paris. 7 voll. Paris. 1761. 12. Histoire de l'université depuis son origine jusqu'à nos jours, par M. Eugène Dubarle. 2 Tomes. Paris. 1829. 8. Savigny's Gesch. d. rom. Rechts im Mittelalter, 2te Aufl. iii. 337. Raumer, vi. s. 462 ff.

¹⁵ Concerning him, Cousin, introduction, p. ex. Ritter, iii. 355.

¹⁶ P. Abaelardi et Heloisae opera (ed. A. Duchesne). Paris. 1616. gr. 4. (On this rare edition, cf. Bayle dict. s. voc. F. d'Amboise not. F. and Hamberger's Nachr. v. d. vornehmsten Schriftstellern, iv. 168.) In this book, p. 973, see *Introductio ad theologiam*, libb. iii. (There is an extract in Cramer, vi. 337.) The work *adv. haereses*, p. 452, is not by Abelard, but by Ermengard, written after 1209, see Franck in d. theol. Studien u. Krit. 1841. iv. 973. There are works of Abelard published afterward: *Theologia christiana*, libb. v. in Martene et Durand thesaur. anecdot. v. 1156 (there is an abstract in Cramer, vi. 385); *Ethica s. liber dictus : seito te ipsum in Pezii anecdot. III. ii. 627* (Schlosser, Abaelard u. Dulcin, s. 119, considers these ethics to be not genuine: on the other side are Frerichs de P. Ab. doctrina dogm. et mor. p. 6, and Ritter, iii. 427). Still later there was brought forward P. Abaelardi dialogus inter Philosophum, Judaeum et Christianum, ed. F. H. Rheinwald. Berolini, 1831. P. Abael. epitome theologiae christianaæ ed. F. H. Rheinwald, Berol. 1835 (the proper title, which also the M.S. discovered in Munich bears, is, Petr. Abael. sententiae: it is a treatise written down from dictation by a pupil, see my observations in d. Theol. Studien u. Krit. 1837. ii. 366). Ouvrages inédits d'Abélard, publiés par M. Victor Cousin, Paris. 1836. 4. (belongs to the second series of the Collection de documents inédits sur l'hist. de France, comp. E. A. Lewald comm. de opp. P. Abael. quae V. Cousin edidit. Heidelb. 1839. 4). In the same, p. 1: *Sic et Non*, on the contradictions of the ecclesiastical fathers. On Abaelard's fate, cf. Abaelardi epist. I, de historia calamitatum suarum. P. Bayle diction. s. v. Abélard, Foulques and Héloïse. J. Gervaise la vie de P. Abeillard et de Héloïse. Paris. ed. 2. 1728, 2 Tom. Hist. lit. de la France, on Abaelard, xii. 86, and on Héloïse, p. 629 ss. The history of the lives of Abeillard and Héloïse by John Berington. Lond. 1787. 4 (translated into German by S. Hahnemann. Leipz. 1789. 8). Abalard und Dulcin. Leben und Meinungen eines Schwarmers und eines Philosophen v. Fr. Chr. Schlosser. Gotha, 1807. Abélard, par Charles de Remusat, 2 voll. Paris, 1845. H. Francke's Arnold v. Brescia. Zurich, 1825. S. 16 sq. 87 sq. 204 sq. J. H. F. Frerichs, comm. de Petri Abaelardi doctrina dogmatica et morali. Jenae, 1827. 4. Franck's Beitrag z. Würdigung Abalard's in d. Tubinger Zeitschr. f. evangel. Theologie, 1840. iv. 3. D. J. H. Goldhorn de summis principiis theologiae Abaelardea. Lips. 1836. A. Tholuck disp. de Thoma Aquin. atque Abaelardo interpretibus Novi Test.

tions,¹⁷ the greater enthusiasm he roused among the youthful students for his philosophical divinity. The sentence¹⁸ passed upon

(Hall. Osterprogramm, 1842.) [Petr. Abael. *Sic et Non*, prin. integr. edd. Henke et Lindenkohl. Marburg, 1851.—Abaelard in Bohringer's *K. Gesch. in Biographien*. 2, 2.—O. W. Wight, Abelard and Heloise. N. Y. 1853.—J. L. Jacobi, *Ab. u. Hel.* Berl. 1850.—F. Braun, de Abel. *Ethica*, 1852.]

¹⁷ For his principles of theology, see *Introductio ad theologiam*, lib. ii. c. 1 (opp. p. 1046): *Nunc autem—pluribus de fide s. Trinitatis collectis atque expositis testimoniis, superest aperire, quibus rationibus defendi possit, quod testimonii confirmatum est.*—Beato attestate Augustino in omnibus auctoritatē humanae anteponi rationi convenit: maxime autem in his, quae ad Deum pertinent, tutius auctoritate quam humano nitimus iudicio, Cap. 2, p. 1047: *De diversitate personarum in una et individua penitus ac simplici divina substantia, et de generatione verbi seu processione spiritus quidem nos docere veritatem non promittimus, ad quam neque nos, neque mortalium aliquem sufficere credimus: sed saltem aliquid verisimile atque humanae rationi vicinum, nec sacrae fidei contrarium proponere libet, adversus eos, qui humanis rationibus fidem se impugnare gloriantur, nec nisi humanas curant rationes, quas neverunt, multosque facile assentatores inveniunt.* Cap. 3, p. 1058: *Quomodo ergo audiendi sunt, qui fidem rationibus vel adstruendam vel defendendam esse denegant?*—*Si enim cum persuadetur aliud, ut credatur, nil est ratione discutiendum, utrum ita scilicet credi oporteat vel non: quid restat, nisi ut aequae tam falsa quam vera praedicantibus acquiescamus?* P. 1059: *Asserunt, nil ad catholicae fidei mysteria pertinens ratione investigandum esse, sed de omnibus auctoritati statim credendum esse, quantumcunque haec ab humana ratione remota esse videatur.* Quod quidem si recipiatur,—cujuusque populi fides, quantameunque adstruat falsitatem, refelli non poterit, et si in tantam devoluta sit eaecitatem, ut idolum quolibet Deum, esse ac caeli ac terrae creatorum fateatur. True, Gregory the Great says: *nec fides habet meritum cui humana ratio praebet experimentum.* But, p. 1060: *At numquam si fidei nostrae primordia statim meritum non habent, ideo ipsa prorsus inutilis est judicanda, quam postmodum caritas subsecuta obtinet, quod illi defuerat.*—*Unde et in Ecclesiastico scriptum est: Qui credit cito, levis est corde et minorabitur* (*Sirac. xix. 4*). Cito autem sive facile credit, qui indiscrete atque improvide his quae dicunt prius acquiescit, quam hoc, ei quod persuadetur ignota ratione, quantum valet discutiat, an scilicet adhiberi ei fidem conveniat. P. 1061: *Nunc vero e contra plurimi solatium suaे imperitiae quaerunt, ut, cum ea de fide docere nituntur, quae, ut etiam intelligi possint, disserere non sufficiunt, illum maxime fidei fervorem commendent, qui ea quae dicantur antequam intelligat credit, et prius his assentit ac recipit, quam quae ipsa sint videat, et an recipienda sint agnoscat, seu pro captu suo discutiat.* Maxime vero id profitentur, cum ea praedicantur, quae ad divinitatis naturam, et ad s. Trinitatis pertinent discretionem, quae penitus in hac vita non posse intelligi asseverant, sed hoc ipsum intelligi vitam dicunt aeternam, juxta illud veritatis: *Haec est autem vita aeterna, ut cognoscant te Deum verum, et quem misisti Jesum Christum.* Sed profecto aliud est intelligere seu credere, aliud cognoscere seu manifestare. Fides quippe dicitur existimatō non apparentium, cognitione vero ipsarum rerum experientia per ipsam earum praesentiam.—Proprie quoque de invisibilibus intellectus dicitur secundum quod quidem intellectuales et visibles naturae distinguuntur. Quisquis etiam in hac vita ea, quae de Trinitate dicuntur, non posse intelligi arbitratur, profecto in illam Montani haereticī labitur errorem, quem beatus damnans Hieronymus in prologo commentariorum Esaiæ sic ait: *Neque vere, ut Montanus somniat, Prophetæ in extasi sunt locuti, ut nescirent quid loquerentur, etc.*

¹⁸ There is a copious notice of the Council of Soissons, the acts of which are lost, in Abael. epist. i. de calamitat. suis, c. 9. p. 20 ss. A shorter notice in Otto Frising. de ges- tis Frid. lib. i. c. 47: *De s. Trinitate docens et scribens, tres personas—nimis attenuans, non bonis usus exemplis, inter caetera dixit: sicut eadem oratio est propositio, assumptionis et conclusio, ita eadem essentia est Pater, et Filius, et Spiritus sanctus.* Ob hoc Sessionis provinciali contra cum synodo, sub praesentia Romanae sedis Legati, congregata.

him in 1121 by the Synod of Soissons only increased his fame.¹⁹ His pupils even followed him in crowds to a desert place near Nogent.²⁰

But the keen development and rapid advance of the dialectic theology now found, in Bernard of Clairvaux and Norbert, two men who were considered as saints even in their lifetime, dangerous adversaries.²¹ Inclined to mystic views, they condemned, in the explanation of their doctrinal system every departure from the traditional method of acceptation, inasmuch as the mysterious doctrines of revelation can not every where be analyzed in thought by the understanding, but can only be embraced by the method of mystical contemplation.²²

libros, quos ediderat, propria manu ab Episcopis igni dare coactus est, nulla sibi respondendi facultate, eo quod disputandi in eo peritia ab omnibus suspecta haberetur, concessa.

¹⁹ Abael. epist. i. de calam. suis, c. 10, p. 25: Cum autem hoc tam crudeliter et inconsiderate factum omnes, ad quos fama delatum est, vehementer arguerent, singuli qui interfuerant a se culpam repellentes in alios transfundebant; adeo ut ipsi quoque aemuli nostri id consilio suo factum esse denegarent, et Legatus coram omnibus invidiam Francorum super hoc maxime detestaretur.

²⁰ Abaelardus, l. c. cap. 11, p. 28: Quod cum cognovissent Scholares, cooperunt undique concurrere et relictis civitatibus et castellis solitudinem inhabitare, et pro amplis domibus parva tabernacula sibi construere, et pro delicatis cibis herbis agrestibus et pane cibario victitare, et pro molibus stratis culmum sibi et stramen comparare, et pro mensis glebas erigere.

²¹ Abaelardus, l. c. cap. 12, p. 31: Hoc autem loco me corpore latitante, sed fama tunc universum mundum perambulante,—priores aemuli, cum per se jam minus valerent, quosdam adversum me novos Apostolos, quibus mundus plurimum credebat, excitaverunt. Quorum alter regularium Canonicorum vitam, alter Monachorum se resuscitasse gloriabatur. Hi praedicando per mundum discurrentes, et me impudenter quantum poterant corrodentes, non modice tam ecclesiasticis quibusdam quam saecularibus Potestatibus contemptibilem ad tempus effecerunt, et de mea tam fide quam vita adeo sinistra disseminaverunt, ut ipsos quoque amicorum nostrorum praecipios a me averterent, et qui adhuc pristini amoris erga me aliquid retinherent, hoc ipsi modis omnibus metu illorum dissimularent. Otto Frising. de gestis Frid. lib. i. c. 47, may well express the opinion of most educated men of that time about Bernard: Erat autem—Abbas tam ex christiana religionis fervore zelotypus, quam ex habitudinali mansuetudine quodammodo credulus, ut et magistros, qui humanis rationibus, saeculari sapientia confisi, nimium inhaerabant, abhorret, et, si quicquam ei christiana fidei absonum de talibus diceretur, facile aurem praebaret.

²² Bernardi de diversis sermo, ix. n. 9 (ed. Mabill. ii. 250). Et diabolus et homo, uterque ascendere praepostere voluit, hic ad scientiam, ille ad potentiam, ambo ad superbiam. Non sic ascendere velimus, quin potius audiamus prophetam quaerentem, quomodo ascendendum sit. *Quis, inquit, ascendet in montem Domini, etc.* (Ps. xxiv. 3, 4). Ubi nondandum, quod triplicem gradum ascendendi constituit. Primus gradus est innocentia operis, secundus munditia cordis, tertius fructus aedificationis. De considerat. lib. v. c. 3: Quae supra sunt, non verbo docentur, sed spiritu revelantur. Verum quod sermo non explicat, consideratio quaerat, oratio expetat, mereatur vita, puritas assequatur.—Deus, —et qui cum eo sunt beati spiritus tribus modis—nostra sunt consideratione vestigandi,

After Abelard had handed over to his Heloise the Abbey of Paracletus, founded in the wilderness near Nogent, he had remained from 1126-1136 Abbot of Ruits, in Brittany, and afterward lectured once more for some time at Paris: by new writings he furnished Bernard with an opportunity of advancing to an open attack upon him.²³ The Synod of Sens (1140) decided against

opinione, fide, intellectu. Quorum intellectus rationi innititur, fides auctoritati, opinio sola verisimilitudine se tuetur. Habent illa duo certam veritatem, sed fides clausam et involutam, intelligentia nudam et manifestam: caeterum opinio certi nihil habens, verum per verisimilia quaerit potius quam apprehendit. Omnino in his cavenda confusio, ne aut incertum opinionis fides figat, aut quod firmum fixumque est fidei, opinio revocet in quaestionem. Et hoc sciendum, quia opinio, si habet assertionem, temeraria est: fides, si habet haesitationem, infirma est: item intellectus, si signata fidei tentet irrumpere, reputatur effractor, [non] scrutator majestatis. Multi suam opinionem intellectum putaverunt et erraverunt.—Possumus singula haec ita definire: *fides* est voluntaria quaedam et certa praelibatio needum propalatae veritatis; *intellectus* est rei cujuscunque invisibilis certa et manifesta notitia; *opinio* est quasi pro vero habere aliquid, quod falsum esse nescias. Ergo, ut dixi, fides ambiguum non habet: aut si habet, fides non est, sed opinio. Quid igitur distat ab intellectu? Nempe quod etsi non habet incertum non magis quam intellectus, habet tamen involucrum, quod non intellectus. Denique quod intellexisti, non est de eo quod ultra quaeras: aut si est, non intellexisti. Nil autem malum scire, quam quae fide jam scimus. Nil supererit ad beatitudinem, cum quae jam certa sunt nobis fide, erunt aequae et nude. Cap. 14. After a dissertation on the being of God: Novimus haec. Num ideo et arbitramur nos comprehendisse? Non ea disputatio comprehendit, sed sanctitas, si quo modo tamen comprehendendi potest, quod incomprehensibile est.—Quaeris quomodo? Si sanctus es, comprehendisti et nosti: si non, esto, et tuo experimento scies. Sanctum facit affectio sancta, et ipsa gemina, timor Domini sanctus, et sanctus amor. His perfecte affecta anima, veluti quibusdam duobus brachiis suis comprehendit, amplectitur, stringit, tenet, et ait: *Tenui eum nec dimittam*. Comp. H. Schmid der Mysticismus des Mittelalters in s. Entstehungsperiode, Jena, 1824. s. 187. A. Helfferich's christl. Mystik in ihrer Entwicklung, Gotha, 1842, i. 290. L. Noack, d. christl. Mystik, 1853. J. Görres, d. christl. Mystik, 3. 1836, sq.

²³ Compare Neander's der heil. Bernard u. s. Zeitalter. Berlin, 1813. s. 112 ff. Bernard was roused by a letter from Wilhelm, abbot of St. Thierry, in the year 1139 (epist. 391, among Bernard's letters). Bernard's charges against Abaelard: epist. 188, ad Cardinales: Irridetur simplicium fides, evicerantur arcana Dei, quaestiones de altissimis rebus temerarie ventilantur, insultatur Patribus, quod eas magis sopiaendas quam solvendas censuerint. Epist. 189, ad Innocentium P. Novum euditur populis et gentibus Evangelium, nova proponitur fides, fundamentum aliud ponitur praeter id, quod positum est. De virtutibus et vitiis non moraliter, de sacramentis Ecclesiae non fideliter, de arcano sanctae Trinitatis non simpliciter nec sobrie disputatur: sed cuncta nobis in perversum, cuncta praeter solitum et praeterquam accepimus, ministrantur. Epist. 192, ad Mag. Guidonem: Magister Petrus in libris suis profanas vocum novitates inducit et sensuum, disputans de fide contra fidem, verbis legis legem impugnat. Nihil videt per speculum et in acnigmate, sed facie ad faciem omnia intuetur, ambulans in magnis et in mirabilibus super se. Melius illi erat, si juxta titulum libri sui seipsum cognosceret, nec egredieretur mensuram suam, sed saperet ad sobrietatem. Epist. 359, ad Haimericum Card. Maculavit Ecclesiam homo ille, rubiginem suam simplicium mentibus affricuit: cum ea ratione nititur explorare, quae pia mens fidei vivacitate apprehendit. Fides piorum credit, non discutit. Sed iste Deum habens suspectum credere non vult, nisi quod prius ratione discusserit. Cumque Propheta dicat: *nisi credideritis non intelligetis* (see above, note 11): iste fidem voluntariam nomine redarguit levitatis, abutens isto Salomonis testimonio:

Abelard,²⁴ the Pope sentenced him to confinement in a monas-

qui credit cito, levis est corde (Sirac. xix. 4). Bernard has stated and refuted in detail Abaelard's errors in the *Tractatus de erroribus P. Abaelardi ad Innocentium II.* (in edit. Mabill. iv. 114 ss., in the older editions, epist. 190); more shortly in the XIX. capitula errorum Abael. s. in du Plessis d'Argentré *collectio judiciorum de novis erroribus*, i. 21. E. g. I. Quod Pater sit plena potentia, Filius quaedam potentia, Spiritus sanctus nulla potentia. II. Quod Spiritus sanctus non sit de substantia Patris aut Filii. III. Quod Spiritus sanctus sit anima mundi. VI. Quod liberum arbitrium per se sufficit ad aliquod bonum. VII. Quod ea solummodo possit Deus facere vel dimittere, vel eo modo tantum, vel eo tempore, quo facit, et non alio. X. Quod non peccaverunt, qui Christum ignorantes crucifixerunt; et quod non culpae adscribendum est, quicquid fit per ignorantiam. XII. Quod potestas ligandi atque solvendi Apostolis tantum data sit, non successoribus. XIII. Quod propter opera nec melior nec pejor efficiatur homo. XIX. Quod nec opus, nec voluntas, neque concupiscentia, neque delectatio, cum movet eam, peccatum sit, nec debemus velle eam extingue. On the other side, see Abaelardi *apologia s. confessio*, or epist. xx. (Opp. p. 330, and in Bulaeus, ii. 196). Compare Cramer's Opinion, vi. 428.

²⁴ The acts are not to be found. Cf. *Episcoporum Galliae ep. ad Innocentium II.* (written by Bernard; among his letters, ep. 370):—Cum per totam fere Galliam in civitatibus, vicis et castellis, a Scholaribus non solum intra scholas, sed etiam triviatim; nec a literatis aut proiectis tantum, sed a pueris et simplicibus, aut certe stultis, de s. Trinitate, quae Deus est, disputaretur: insuper alia multa ab eisdem absona prorsus et absurdia, et plane fidei catholicae, sanctorumque Patrum auctoritatibus obviantia proferrentur: cumque ab his, qui sane sentiebant,—saepius admoniti corriperentur; vehementius convalescabant, et auctoritate magistri sui Petri Abaelardi—sese magis ac magis armabant. —Verum dominus Abbas Claraevallis—hominem convenit, et ut auditores suos a talibus compesceret, librosque suos corrigeret, amicabiliter satis ac familiariter illum admonuit.—Quod Mag. Petrus minus patienter et nimium aegre ferens, crebro nos pulsare coepit, nec ante voluit desistere, quoad dominum Claraevallensem Abbatem—Senonis ante nostram submonuimus venire praesentiam, quo se vocabat et offerebat paratum Mag. Petrus ad probandas et defendendas, de quibus illum dom. Abbas Claraev.—reprehenderat, sententias. Caeterum dominus Abbas nec ad assignatum diem se venturum, nec contra Petrum sese disceptaturum nobis remandavit. (Cf. Bernard. epist. 189 ad eundem: Abnui tum quia puer sum, et ille vir bellator ab adolescentia: tum quia judicarem indignum, rationem fidei humanis committi ratiunculus agitandam, quam tam certa ac stabili veritate constat esse subnixam. Dicebam, sufficere scripta ejus ad accusandum cum, etc.) However, for truth's sake, Bernard consented, and the Council was opened in the presence of King Lewis. Quid multa? Dominus Abbas cum librum theologie Mag. Petri proferret in medium, et quae annotaverat absurdia, imo haeretica plane capitula de libro codem proponeret, ut ea magister Petrus vel a se scripta negaret, vel si sua fateretur, aut probaret, aut corrigeret: visus est diffidere Mag. Petrus Abael. et subterfugere, respondere noluit, sed quamvis libera sibi daretur audientia, tutumque locum et aquos haberet judices, ad vestram tamen, sanctissime Pater, appellans praesentiam, cum suis a conventu discessit. Nos autem, licet appellatio ista minus canonica videretur (epist. 189, appellans ab electis judicibus, quod non putamus licere), sedi tamen apostolicae deferentes, in personam hominis nullam voluimus proferre sententiam. Even in this account, there are grounds for believing that the representation of this Council, by Berengarius Scholasticus, a disciple of Abaelard, in his *Apologeticus pro magistro contra Bernardum Claraevall.* (in Abael. op. p. 302 ss. Bulaeus, ii. 182), is not altogether an untrue one: Denique post prandium allatus est liber Petri, et cuidam praeceptum est, ut voce clamosa Petri opuscula personaret.—Inter haec salutantur cyphi, pocula celebrantur, laudantur vina, Pontificum guttura irrigantur.—Denique cum aliiquid subtile divinumque sonabat, quod auribus pontificalibus erat insolitus, audientes omnes dissecabantur cordibus suis, et stridebant dentibus in Petrum,—hoc, inquit, *sineremus vivere monstrum?*—Vini calor

tery,²⁵ but Peter the Venerable, abbot of Cluny, secured him a place of refuge,²⁶ where he died soon after († 1142).²⁷

Not long afterward Bernard had a similar conflict to sustain with Gilbert de la Porret, who had at one time lectured in Paris, and now, as Bishop of Poictiers, gave offense to some of his clergy by his unusual assertions.²⁸ At the Council of Rheims (1148) nothing but the jealousy of the cardinals toward Bernard rescued him from Abelard's fate.²⁹

ita incesserat cerebris, ut in somni lethargiam oculi omnium solverentur. Inter haec sonat lector, stertit auditor. Alius cubito innititur, ut det oculis suis somnum, alias super molle cervical dormitionem palpebris suis molitur, alias super genua caput reclinans dormitat. Cum itaque lector in Petri satis aliquod reperiret spinetum, surdis exclamabat auribus Pontificum: *Damnatis?* Tunc quidam vix ad extremam syllabam exercefacti, somnolenta voce, capite pendulo, *Damnamus*, ajebant. Alii vero damnantium tumultu excitati, decapitata prima syllaba, *namus*, inquiunt. Vere natis, sed natatio vestra procella, natatio vestra mersio.—Qui vigilaverat in lege Domini die ac nocte, nunc damnatur a sacerdotibus Bacchi.—Intra tot itaque et tantas angustias deprehensus Abaelardus ad Romani examinis configuit asylum.

²⁵ Innoc. epist. ad Archiepiscc. et Episcc. Among Bernard's letters epist. 194, in Abael. opp. p. 299, in Mansi xxi. 564. Together with this public letter, there arrived also a secret one to the Archbishop of Rheims and Sens (Abael. opp. p. 301. Mansi l. c.) with instructions, quatenus Petrum Abaelardum et Arnaldum de Brixia, perversi dogmatis fabricatores, et catholicae fidei impugnatores, in religiosis locis,—separatim faciat includi, et liberos erroris eorum, ubique reperti fuerint, igne comburi.

²⁶ Petri Ven. epist. ad Innocentium II. (lib. iv. ep. 4, in Bibl. PP. Lugd.-xxii. 907, in Abael. opp. p. 335) records the reconciliation brought about by him and the Abbot of Cîteaux, between Bernard and Abelard, and begs for a safe retreat and protection for the latter at Cluny.

²⁷ Petri Ven. epist. ad Heloisam (lib. iv. ep. 21, in Bibl. PP. l. c. p. 922, in Abael. opp. p. 337) contains the tidings of Abelard's death (ille tuus saepe ac semper cum honore nominandus, servus ac vere Christi Philosophus Mag Petrus). Heloise prayed that the body might be given up to her, that she might bury him in Paracletus (epist. ad Petrum Ven. in Abael. opp. p. 343), with the request: Placeat etiam vobis mihi sigillum mittere, in quo Magistri absolutio literis apertis continetur, ut sepulchro ejus suspendatur. Peter granted both her desires (ep. ad Helois. l. c. p. 344). The absolution is given in these words: Ego Petrus Cluniacensis Abbas, qui Petrum Abael. in Monachum Cluniacensem recepi, et corpus ejus furtim delatum Heloisae Abbatissae et Monialibus Paracleti concessi, auctoritate omnipotentis Dei et omnium sanctorum absolvo eum pro officio ab omnibus peccatis suis.

²⁸ Concerning him cf. Otto Frising. de gestis Frid. lib. i. c. 46, 50–54, 56, 57. Gaufredi Mon. Claraevall. epist. ad Episc. Albanensem de rebus gestis in causa Gilberti Porretani in the acts of the Conc. Rhem. in Mansi xxi. 728. Cramer, vi. 530. Neander's der heil. Bernhard, s. 217. 305. Ritter, iii. 437.—The charges against him brought before the Pope by his two archdeacons (in Otto Fris. 1. c. cap. 50, among these; also, as matters of lesser importance: Quod meritum humanum attenuando, nullum mereri diceret praeter Christum; and, Quod Ecclesiae sacramenta evacuando diceret, nullum baptizari nisi salvandum) could not be proved at the Council of Paris in 1147: for this reason, Eugenius III. referred the cause to the Council of Rheims, and commissioned a certain Abbot Gottschalk to examine the work of Gilbert which was especially denounced, his comm. in Boetium de s. Trinitate (in opp. Boetii. Basil. 1570, p. 1128), with reference to those charges.

²⁹ The four Capitula drawn from that commentary, which were here brought forward,

These examples taught men prudence ; and hence speculative theologians began to confirm their logical investigations by the authority of Holy Scripture and the Fathers. In this manner wrote the two *sententiarii*, Robert Pulley (lecturer in theology at Paris and Oxford, from 1144 Cardinal, † about 1150),³⁰ and Peter Lombard, Magister Sententiarum, who for centuries held

are given in part differently by Gaufridus l. c., Otto Fris. l. c. cap. 50, Matth. Paris, ann. 1119, p. 67. Vasquez seems to state them most accurately from an old manuscript, in his Comm. in Thomam P. I, disp. 120, cap. 2, and from him Duplessis d'Argentré coll. judic. i. 39. I. Quod divina natura, quae divinitas dicitur, Deus non sit, sed forma, qua Deus est : quemadmodum humanitas homo non est, sed forma, qua est homo. II. Quod, cum Pater et Filius et Spiritus sanctus unum esse dicuntur, nonnisi una divinitate esse dicantur : nec converti possit, ut unus Deus, vel una substantia, vel unum aliquid Pater et Filius et Spiritus sanctus esse dicantur. III. Quod tres personae tribus unitatibus sint tria ; et distinctae proprietates tribus, quae non sunt ipsae personae ; sed sunt tres aeternae, et ab invicem a divina substantia in numero differentes (Matth. Paris : divisae numero et divisae substantia). IV. Quod Natura divina non sit incarnata. After a long and fruitless discussion, Bernard, in the name of the French bishops, brought in the following confession of faith, in opposition to those Capitula. (Otto Frising. l. c. cap. 56) : (I.) Credimus simpliciter naturam divinitatis esse Deum, nec aliquo sensu catholico posse negari, quin Divinitas sit Deus, et Deus Divinitas. Si vero dicitur, Deum sapientia sapientem, magnitudine magnum, aeternitate aeternum, unitate unum, divinitate Deum esse, et alia hujusmodi : credimus, nonnisi ea sapientia, quae est ipse Deus, sapientem esse, nonnisi ea magnitudine, quae est ipse Deus, magnum esse, nonnisi ea aeternitate, quae est ipse Deus, aeternum esse, nonnisi ea unitate, quae ipse est, unum esse, nonnisi ea divinitate Deum, quae est ipse : id est seipso sapientem, magnum, aeternum, unum, Deum. (II.) Dum de tribus personis, Patre et Filio et Spiritu sancto loquimur, ipsas unum Deum, unam divinam substantiam fatemur esse. Et e converso, cum de uno Deo, una divina substantia loquimur, ipsum unum Deum, unam divinam substantiam esse tres personas profitemur. (III.) Credimus solum Deum Patrem, et Filium, et Spiritum sanctum aeternum esse, nec alias omnino res, sive relationes, sive proprietates, sive singularitates vel unitates dicantur, et hujusmodi alia adesse Deo, quae sint ab aeterno, et non sint Deus. (IV.) Credimus ipsam Divinitatem, sive substantiam divinam, sive naturam divinam dicas, incarnatam, sed in Filio esse. When this confession of faith was presented to the Pope, the cardinals felt themselves greatly wronged. See their expressions above, § 51, note 16. Further : Sed quid fecit Abbas tuus et cum eo Gallicana ecclesia ? Qua fronte, quo ausu cervicem contra Romanae sedis primatum et apicem erexit ? Haec est enim sola, quae claudit et nemo aperit, aperit et nemo claudit. Ipsa sola de fide catholica discutere habens, a nullo, etiam absens, in hoc singulari honore praejudicium pati potest, etc. Bernard was obliged to humble himself, on the three last Capitula nothing was decided : de primo tantum Romanus Pontifex definivit, ne aliqua ratio in theologia inter naturam et personam divideret, neve Deus divina essentia diceretur ex sensu ablative tantum, sed etiam nominativi ;—Episcopus vero praemissam summi Pontificis sententiam reverenter excipiens, archidiaconibus suis in gratiam receptis, cum ordinis integritate, et honoris plenitudine ad propriam dioecesim remeavit. In the far parts of Germany, this matter was even related as follows (chron. Montis Sereni ad ann. 1148, in Mencken scriptt. rer. Germ. ii. 181) : in Concilio Remensi magister Giselbertus scripta sua, quae a quibusdam calumniabantur, auctoritate ss. Patrum magnifice defendit.

³⁰ Even Bernard, ep. 205, praises him, ob sanam doctrinam (cf. epist. 334).—His *Sententiarum libb. viii. ed. Hugo Mathoud e Congr. s. Maur. Paris. 1655. 4.* A full abstract in Cramer, vi. 442.

undivided sway (lecturer in theology at Paris, from 1159 Bishop of Paris, † 1164).³¹

The school which William of Champeaux, after he had given way to Abelard, founded in 1109, together with the monastery of St. Victor in a suburb of Paris, maintained a peculiar character. The teachers of this school distinguished themselves by the union of Scholasticism and Mysticism, both refraining from one-sided excess: the former endeavored to impart warmth and practical significance, the latter light and self-knowledge.³² This tendency is most plainly expressed in the writings of Hugo a St. Victore († 1141), the most eminent of the Victorines (alter Augustinus, lingua Augustini).³³ Richard a St. Victore, prior of the monastery

³¹ Libri iv. sententiarum. Among the numerous editions the best are those of Louvain, ex rec. Joh. Aleaume, 1546. fol. 1553. 1576. 4. Extracts in Cramer, vi. 586. Comp. Ritter, iii. 474. From the remarkable agreement of this work with Bandini sententiarum libb. iv. (ed. Bened. Chelidonus, Viennae, 1519. fol. Lovan. 1557. 8. Latin Extracts in Cramer, vi. 851) Chelidonus and Cramer, vi. 846, conclude that the Lombard revised Blandinus. Pez (Thesaur. anecd. T. I. diss. isagog. p. xlv. ss.), Schröckh (xxviii. 48), and Rettberg (Comparatio inter mag. Bandini libellum et Petri Lomb. sent. Gottinger Weihnachtsprogr. 1834), that the latter epitomized the former. Perhaps Bandinus, the jurist in Bologna († 1218, see Savigny's Gesch. d. Rom. Rechts im Mittelalter, iv. 332), composed this abstract to facilitate for jurists their necessary acquaintance with dogmatic theology. In the preface Peter Lombard states the aim of his work to be this, *fidem nostram adversus errores carnalium atque animalium hominum—munire, vel potius munitam ostendere, ac theologicarum inquisitionum abdita aperire, ne non et sacramentorum ecclesiasticorum—notitiam tradere; and protests, in labore multo ac sudore volumen—compeginus ex testimonii veritatis in aeternum fundatis,—in quo majorum exempla doctrinamque reperies.* Nevertheless, the Lombard was accused by his scholar Johannes Cornubiensis (especially in the Eulogium ad Alex. P. III., quod Christus sit aliquis homo, in Martene et Durand thesaur. anecd. v. 1655, which appeared in 1175) for teaching, *quod Christus non sit aliquid, secundum quod est homo* (how far justly, see Cramer, vi. 1); and Alexander III. condemned the doctrine in 1179, *quia, sicut verus Deus, ita verus est homo ex anima rationali et humana carne subsistens.* Gualterus de S. Victore renewed this charge of Nihilianismus. On the other hand, the opposition of Joachim Abb. Florensis to the Lombard's doctrine of the Trinity was condemned at the Lateran Council of 1215, see Engelhardt's Kirchengesch. Abhandl. s. 263. But about 1300 more than sixteen articles were collected by the divines of Paris, in quibus Magister Sententiarum non tenetur communiter ab omnibus. Cf. d'Argentré collect. judic. i. 112. Schröckh, xxviii. 527.

³² Schlosser über den Gang d. Studien in Frankreich, vorzüglich v. d. Schule zu St. Victor: in his Vincent v. Beauvais Hand und Lehrbuch. Frankf. a. M. 1819. ii. 1. Liebner's Hugo v. St. Victor. s. 1.

³³ Among the numerous works attributed to him (best edition Rotomagi, 1648. 3 voll. fol.) many are not his (cf. Oudin. comm. d. scriptt. eccl. ii. 1138. Hist. littér. de la France, xii. 7). His Summa sententiarum is in Hildeberti opp. ed. A. Beaugendre, Paris, 1708. fol., printed also by mistake as a work of Hildebert of Tours, under the title Tractatus theologicus, see Liebner in d. Theol. Studien u. Krit. 1831. ii. 254. His most important theological work is De Sacramentis christiana fidei, lib. ii., an entire body of doctrine, given in abstract by Cramer, vi. 792. On his leaning to Mysticism, see Schmid d. Mysticismus des Mittelalters, s. 282.—Cf. Ch. G. Derling Hugo a St. Vict. Helmst. 1745. 4.

(† 1173),³⁴ inclined more to the mystical views: by him was made the first attempt to determine scholastically the degrees of mystical intuition. His successor, Walter a St. Victore, about 1180, impetuously attacked the most celebrated schoolmen;³⁵ but he made no impression because of his palpable extravagances.

For the sake of dialectic theology, which was considered the highest aim in the province of knowledge, the liberal arts were neglected as lower preparatory steps. The monastic schools were mostly closed,³⁶ the Cathedral schools sank into obscurity, although

Schlosser, I. c. s. 37. Ritter, iii. 507. Helfferich's christl. Mystik, i. 350. D. Alb. Liebner's Hugo v. St. Victor u. die theolog. Richtungen seiner Zeit. Leipz. 1832.

³⁴ Among his many works (ed. Rotomagi, 1650. fol.) the following are of greatest note: *De statu interioris hominis tractt. iii.*; *Benjamin minor de praeparatione animi ad contemplationem*, s. de XII. Patriarchis; *Benjamin major de gratia contemplationis*, s. de arca mystica, libb. v.; *De trinitate*, libb. vi. Comp. Schrökch, xxix. 275. Schmid. I. c. s. 308. Ritter, iii. 547. Helfferich, i. 429. Engelhardt's Richard v. St. Victor und Johannes Ruysbroek, Erlangen, 1838. C. Th. A. Liebner Richardi a S. Victore de contemplatione doctrina Partes ii. 4 (Gottinger Osterpr. 1837, and Weihnachtspr. 1839).

³⁵ The title of his work commonly given is this: *Contra quatuor labyrinthos Galliae*: it is properly: *Contra manifestas et damnatas etiam in conciliis haereses, quas sophistae Abaelardus, Lombardus, Petrus Pictavinus et Gilbertus Porretanus libris sententiarum suarum account, limant, roborant*. There are extracts in Bulaei hist. Univ. Paris. ii. 200 s. 402 ss. 562 ss. 629–660. A representation of its purport, according to the Paris MS., is given by A. Planck in d. Theol. Studien u. Krit. 1844 iv. 823. In the prologue (I. c. p. 402) we find: *Quisquis hoc legerit, non dubitabit*, iv. *labyrinthos Franciae, i. e. Abaelardum et Lombardum, Petrum Pictav. et Gilbertum Porret. uno spiritu Aristotelico afflatos, dum ineffabilia Trinitatis et incarnationis scholastica levitate tractarent, multas haereses olim vomuisse, et adhuc errores pullulare*. Further (p. 200): *Quaeris, Quid sit Labyrinthus, quo clausus fuit Minotaurus? Quaeris, quid sit [Minotaurus]?* Non homo, non pecus est; pecus est, homo est, neutrumque. Quaeris, quorum ista? talis Christus eorum, phantasticus est Deus ipsorum. Non homo, non Deus est; Deus est, homo est, neutrumque. Atque unusquisque Samarita fabricat sibi Deum. Tu vero, Christiane, verus veri Dei Israelite, fuge vitulos aureos, quos isti de cordibus suis impie Christianis proponunt. Exsuffla, inquam, istorum disputationes subtilissimas quidem, ac si aranearum telas putidas et prorsus inutiles, in quibus cum vitulis Samariae et Daemones ludunt, solaeque muscae gannientes, i. e. filii perditionis illaqueantur ad mortem. Lib. iv. at the end (p. 659): Nos tamen illorum atomos et regulas philosophorum et quid et aliquid et caetera hujusmodi ridicula contemnimus et excommunicamus, dicentes cum Apostolo: *Si quis aliud dixerit, praeterquam evangelizavimus vobis, licet nos, licet Angelus, licet Petrus, anathema sit*. Non enim in divinis Scripturis hujusmodi deliramenta alicubi inventiuntur. Ideo licet nihil sit subtilius telis aranearum, nihil acutius acuminibus aristarum, qualia sunt ingenia et argumenta Daemoniorum per ora haereticorum, tamen *Catholicis*, ut ait Ambrosius in Hexaem., *exsufflanda potius quam legenda, quoniam omne quod natum est ex Deo*, inquit, *vincit mundum*. Et haec est victoria, quae vincit mundum, fides nostra, qua Patrem, et Filium Jesum Christum cum pelle et carnibus, ossibus et nervis, anima et mente et totius hominis veritate, et Spiritum sanctum non opinamur, sed incunctanter credimus, tenemus, adoramus, unde Deus per omnia saecula saeculorum. Amen. Comp. Schlosser, I. c. s. 60 ss.

³⁶ Before this time Desiderius, since 1058 Abbot of Montecassino, had closed the schools of this monastery, and Petrus Damiani lib. ad Desiderium says with reference to this: *Inter caeteros virtutum flores, quos in illo agro pleno, cui benedixit Dominus, in Cassino Monte reperi, fateor, hoc mihi non mediocriter placuit, quod ibi scholas puerorum, quae saepe*

the Popes took them, in some measure, under their protection.³⁷ Even at this time John of Salisbury (the friend of Thomas a Becket, about 1176, Bishop of Chartres, † 1182)³⁸ perceived how scholasticism degenerates into empty formalism,³⁹ because it with-

rigorem sanctitatis enervant, non inveni. Thus Peter Venerabilis closed the school in Cluny, and at the same time in all the Cluniac monasteries, Lorain essai hist. sur l'Abbaye de Clugny, p. 30. F. Cramer's Gesch. d. Erziehung u. d. Unterrichts in d. Niederlanden während d. Mittelalters. Stralsund, 1843, s. 143.

³⁷ Cf. Decretal. Gregor. P. IX. lib. v. tit. v. de magistris, and Böhmer's notes thereto. The benefices of a magister scholarum were lost in the case of many cathedrals, and in others misused, to make the licentia docendi marketable. Accordingly, Alexander III. decreed, in Conc. Lateran. III. ann. 1179: *per unamquamque cathedralem Ecclesiam magistro, qui clericos ejusdem Ecclesiae et scholares pauperes gratis doceat, competens aliquod beneficium praebeatur. Pro licentia vero docendi nullus omnino pretium exigat (l. c. cap. 1).* Innocent III: in Conc. Later. IV. ann. 1215, not only renewed that decree, because it had not been generally observed, but commanded also that in the collegiate churches such a master should be appointed, *qui clericos Ecclesiarum ipsarum gratis in grammatica facultate ac aliis instruat juxta posse.* Besides, the Metropolitan See was to have a divine, *qui sacerdotes et alios in sacra pagina doceat, et in his praesertim informet, quae ad curam animarum spectare noscuntur (l. c. cap. 4).*

³⁸ Concerning him, Histoire litt. de la France, xiv. 89. Ritter, iii. 605. Johannes v. Salisbury von H. Reuter, Berlin, 1842. His works were: Polycratius s. de nughis Curialium et vestigiis Philosophorum, libb. viii.; epistolae 303 (both found also in Bibl. pp. Lugd. xxiii. 242); Metalogicus, libb. iv. (published in 8. with the Policerat. at Paris, 1610, and Lugd. Bat. 1610); Entheticus de dogmate philosophorum prim. editus a Chr. Petersen, Hamburgi, 1843. [Works by Gillies, 6. 8. London.]

³⁹ Metalog. lib. i. c. 3, describes the school of a certain Cornificius; Poëtae, historiographi habebantur infames, et si quis incumbebat laboribus antiquorum, notabatur, et non modo asello Arcadiae tardior, sed obtusior plumbo vel lapide, omnibus erat in risum. Suis enim aut magistri sui quisque incumbebat inventis. Nec hoc tamen diu licitum, cum ipsi auditores in brevi—spretis his, quae a doctoribus suis audierant, cederent et conderent novas sectas. Fiebant ergo summi repente philosophi: nam qui illiteratus accesserat, fere non morabatur ulterius in scholis, quam eo curriculo temporis, quo avium pulli plu-mescunt.—Sed quid docebant novi doctores, et qui plus somniorum quam vigiliarum in scrutinio philosophiae consumpserant?—Ecce nova fiebant omnia: innovabatur grammatica, immutabatur dialectica, contemnebatur rhetorica, et novas totius quadrivii vias, eva-cuatis priorum regulis, de ipsis philosophiae adytis proferebant: solam convenientiam sine ratione loquebantur: argumentum sonabat in ore omnium, et asinum nominare vel hominem aut aliquid operum naturae instar criminis erat, aut ineptum nimis aut rude et a philosopho alienum.—Ex arte et de arte agere idem erat. Lib. ii. c. 6: Indignantur ergo puri philosophi, et qui omnia preter logicam dedignantur, aeque grammaticae ut physicae expertes et ethicae, et me improbum, obtusum, et caudicem, aut lapidem criminantur. Lib. ii. c. 8: Ut ait Seneca in i. Declam. *Nihil est odibilius subtilitate, ubi nihil aliud est quam subtilitas;* et ad Lucilium: *Nihil est acutius arista, sed haec ad quid utilis? tale utile est illud ingenium, quod sola subtilitate lascivius, nulla residet gravitate.* Unde, ut idem scribit, c. 7, fiant in puerilibus Academicis senes; omnem dictorum aut scriptorum excutiunt syllabam, immo et literam, dubitantes ad omnia, quaerentes semper et nunquam ad scientiam pervenientes, tandemque convertuntur ad vaniloquium: ac nescientes quid loquantur, aut de quibus asserant, errores condunt novos, et antiquorum aut nesciunt aut dedignantur sententias imitari. There is much also on this head in Policeratius, lib. vii. c. 7–14. Compagni Stephani Episc. Tornacensis († 1200) epist. 251 ad Coelestimum III. (s. § 60, not. 10): *Lapsa sunt apud nos in confusionis officinam sacrarum studia literarum, dum et discipuli solis novitatibus applaudunt, et magistri gloriae potius invigilant quam doc-*

holds from its disciples all material knowledge, without, however, being able to give another direction to the stream by his appropriate suggestions.

§ 74.

SECOND PERIOD OF SCHOLASTIC THEOLOGY, DOWN TO DURANDUS DE S. PORCIANO, ABOUT 1320.

The schoolmen of the twelfth century had only the *Organon* of Aristotle in Boethius's Latin translation, and their philosophical treatment of dogmatic theology was purely logical. On the other hand, all the works of Aristotle were translated into Arabic: the study of his philosophy flourished especially after the time of Avicenna (Ibn Sina † 1036), as well in the Moorish schools¹ in Spain as in general under the Arabian sway. It received a fresh impulse² in the beginning of the thirteenth century, from the new translation and commentary with which Averrhoës (Ibn Roshd † about 1217) illustrated the works of Aristotle. Ever since the middle of the twelfth century, pilgrimages³ to those seats of learning from Western Christendom grew continually more common. It was natural that here attention and inquisitiveness should also

trinae: novas recentesque summulas et commentaria firmantia super theologia passim
conserbunt, quibus auditores suos demulcent, detineant, decipient, quasi nondum sufficerint sanctorum opuscula Patrum, quos eodem Spiritu sacram Scripturam legimus exposuisse, quo eam composuisse credimus Apostolos et Prophetas.—Disputatur publice contra saeras constitutiones de incomprehensibili Deitate; de incarnatione Verbi Dei verbosa caro et sanguis irreverenter litigat; individua Trinitas in triviiis secatur et discerpitur; ut tot jam sint errores quot doctores, tot scandala quot auditoria, tot blasphemiae quot plateae. Then follow complaints of the perplexing number of the *Decretals*. Vae duo praedicta sunt, et ecce restat tertium vae. Facultates, quas liberales appellant, amissa libertate pristina in tantam servitutem devocantur, ut comatuli adolescentes earum magisteria impudenter usurpent, et in cathedra seniorum sedeant imberbes; et qui nondum noverunt esse discipuli, laborant ut nominentur magistri. Conserbunt et ipsi summulas suas, plurius salivis affluentes et madidas, phiosophorum sale nec conditas nec conditas. Omisis regulis artium, abjectisque libris authenticis artificum, muscas inanum verborum so phismatibus suis, tanquam arancarum tendiculis includunt. Clamat philosophia, vestes suas conscindi et disruppi, etc. Comp. Schlosser, l. c. s. 64 ss.

¹ Wachler's Gesch. d. Literatur, ii. 95, 113.

² On the Arabian philosophy, see Tennemann, viii. 1, 362. *Documenta philosophiae Arabum ex codd. mss. ed. D. Aug. Schmoelders*, Bonnae, 1836. His *Essai sur les écoles philos. chez les Arabes, et notamment sur la doctrine d'Algazzali*, Paris, 1842. H. Ritter's *Gesch. d. christl. Philosophie*, iii. 663. [Ritter, *Ueber unsere Kentniss der Arabischen Philosophie*, 4. Gottingen, 1844. Renan, *Averroës et l'averroïsme*, Paris, 1852.]

³ Caesaris Heisterbacensis (about 1225) *de miraculis et visionibus sui temporis*, lib. v. c. 4: plures ex diversis regionibus scholares in eadem civitate (Toleti) studebant in arte necromantica, among them also were, juvenes aliqui de Suevia et Bajoaria.

be turned to the remaining portions of Aristotelic philosophy. Soon they began to translate into Latin⁴ the works of the Arabian Aristotelians; these they considered to be faithful representations of the Aristotelic philosophy, although in parts, as, for instance, the writings of Al-gazel († 1127), they were strongly infused with neo-Platonic⁵ ideas. The high estimation in which Aristotle was already held as a logician won for this natural philosophy, supposed to be Aristotelian, an easy entrance into Western Christendom.

Still, the first effects of this new wisdom must make it an object of the greatest suspicion. Whether the error of Simon of Tournay, teacher of theology in Paris about the year 1200, is to be explained by the influence of this philosophy, or to be regarded⁶ only as the blindness of a presumptuous dialectician, remains uncertain. But two other theologians⁷ were beguiled by it into pantheistic errors. David⁸ of Dinant remained firm in a speculative

⁴ Jo. Launoji de varia Aristotelis in Acad. Paris. fortuna, Paris. 1662. 8. denuo ed. J. H. ab Elswich. Vitemb. 1720. 8. An entirely new light has been thrown upon this subject in Jourdain, *recherches critiques sur l'âge et l'origine des traductions latines d'Aristote, et sur des commentaires grecs ou arabes employés par des docteurs scholastiques*. Paris, 1819 (translated by Dr. Stahr, Halle, 1831), nouv. édit. revue et augm. 1843. Before this time, works on medicine, astronomy, and such subjects, had been translated from Arabic into Latin (Jourdain, p. 97 ss.): Raymund, archbishop of Toledo (1130–1150), was the first to cause the principal Arabic works on the Aristotelic philosophy, namely, those of Avicenna, Algazel, and Alpharabius, to be translated by several learned men. (Jourdain, p. 111 ss.).

⁵ Examples of the doctrines of neo-Platonic philosophy among the Mohammedans may be seen in A. Tholuck's *die speculative Trinitatslehre des späteren Orients*, Berlin, 1826. 8.

⁶ Two entirely different calumnious stories are told of him by Thomas Cantipratanus (see above, § 55, note 24), and Matthaeus Paris, ann. 1201, p. 206 (namely: O Jesule, Je-sule, quantum in hac quaestione confirmavi legem tuam et exaltavi: profecto si malig-nando et adversando velle, fortioribus rationibus et argumentis scirem illam infirmare, et deprimendo improbare). On the other hand, Henricus Gandavensis, doctor of the Sorbonne about 1280, in his lib. de scriptt. eccles. c. 24 (in Fabricii biblioth. eccl. n. p. 121), says merely: dum nimis—Aristotalem sequitur, a nonnullis modernis haereseos arguitur. Compare Cramer, vii. 98. *Histoire littéraire de la France*, xvi. 388.

⁷ Amalric v. Bena, in Engelhardt's *kirchengeschichtl. Abhandlungen*, Erlangen, 1832, s. 251. On Amalric and David, see Ritter's *Geschichte d. christl. Philosophie*, iii. 625. Amalrich v. Bena, v. Dr. C. U. Hahn, in d. Theol. Studien u. Krit. 1846. i. 184. Amalrich v. Bena u. David v. Dinant, v. Dr. J. H. Kronlein in d. Theol. Studien und Kritik. 1847. ii. 271.

⁸ Kronlein, e. g. s. 283, rightly opposes the common opinion that David of Dinant was Amalric's pupil. Compare Chron. anonymi Laudun. Canonici, a contemporary, in *Bouquet rerum Gall. scriptt. continued by Brial*, xviii. 714: Almaricus vir quidem subtilissimus, sed ingenio pessimus fuit: in omnibus facultatibus, in quibus studebat, aliis contrariis inveniebatur. Item sciendum, quod iste Magister Almaricus fuit cum domino Ludovico primogenito Regis Francorum, quia credebatur vir esse bonaे conversationis et

pantheism ;⁹ Amalric of Bena, teacher of theology in Paris († 1205), advanced from this platform to deny many of the doctrines¹⁰ of

opinionis illaesae. Magister vero David, alter haereticus, de Dinaunt, hujus novitatis inventor, circa Papam Innocentium conversabatur, eo quod idem Papa subtilitatibus studiose incumbebat. Erat enim idem David subtilis ultra quam deceret, ex ejus quaternis, ut creditur, magister Almaricus et caeteri haeretici hujus temporis suum hauserunt errorem. Thomas Aquin. Summa theol. P. i. qu. iii. art. 8, makes an express distinction between their opinions, where he enumerates three errors with regard to the being of God: Alii autem dixerunt, deum esse principium formale omnium rerum, et hacc dicitur fuisse opinio Almaricorum. Sed tertius error fuit David de Dinando, qui stultissime posuit, Deum esse materiam primam. So the Synod of Paris, in 1209, condemned David's work at the same time with Amalric; not, as was hitherto believed, because David was Amalric's pupil, but because Amalric had drawn his errors from David's work. Besides, according to that chronicle, David seems not to have been a teacher in Paris, but to have maintained himself at the Papal Court, and in 1209 he was certainly dead.

⁹ On this point Albertus Magnus was the great authority from whom Thomas Aquinas derived his knowledge of this theory. Albertus seems to have been acquainted with a work of David's de tomis h. e. de divisionibus, which he quotes, Summa Theol. P. i. tract. iv. qu. 20, membr. 2, quaest. incidens. Compare his Summa theol. P. i. tract vi. qu. 29, membr. 1. art. 2, Sunt quidam haeretici dicentes: Deum et materiam primam et noun sive mentem idem esse. Quod sic probant: Quaecunque sunt, et nullam differentiam habent, eadem sunt. Idem enim est, ut dicit Aristoteles, vii. topicorum, quod non differt differentia. Deus, nous et materia prima sunt, et nullam differentiam habent: ergo eadem sunt. Quod autem haec tria sint et plura principia rerum, ex hoc volebant probare, quod res sint triplices, scilicet materiales, spirituales et divinae, nec ex uno principio proprio formabiles. Primum ergo principium formationis materialium est materia, ut dicunt; et primum principium formationis spiritualium, in quibus principium vitae est, dicunt, quod est nous, sive mens. Dicunt enim, quod omnia, quae sunt in uno genere, ex uno aliquo principio simplici formantur, ut patet in omnibus generibus entis, scilicet substantia, quantitate, qualitate, et sic de aliis. Similiter divinum esse multiplex est, ut dicunt, et necesse est, quod ex aliquo uno formetur principio, et hoc dicunt esse Deum. Haec ergo tria sunt simplicia prima: et si sunt simplicia, nullam differentiam habent: quaecunque enim habent differentias, sunt composita. Et sic suam volunt probasse intentiōnem. *Et in hoc errore fuit David De Dinanto.* David expressly draws upon the metaphysics and physics of Aristotle, and avails himself of his technical phraseology. See Kronlein, s. 327, and other places.

¹⁰ About him writes particularly the contemporary Gulielmus Armoricus or Brito (whose continuation of Rigord in Duchesne scriptt. rer. Gall. T. V. is printed by mistake as part of the same; so Rigord is often quoted here without right) de gestis Philippi Augusti ad ann. 1209 (in Bouquet rerum Gall. scriptt. continued by Brial, xvii. 83). As early as 1204, Amalric was charged with having laid down, quod quilibet Christianus teneatur credere, se esse membrum Christi, nec aliquem posse salvari, qui hoc non crederet. He must have asserted this in some unusual sense; for he was condemned by the Pope, obliged to recant, and soon after died of chagrin. In the year 1209, however, doctrines still more offensive appeared among his disciples, the blame of which was laid upon him. The Council of Paris, ann. 1209, thus states their heresies (Martene thes. anecd. iv. 163): *Pater a principio operatus est sine Filio et Spiritu sancto usque ad ejusdem Filii incarnationem.*—*Pater in Abraham incarnatus, Filius in Maria, Spiritus sanctus in nobis quotidie incarnatur.*—*Omnia unum, quia quicquid est, est Deus.*—*Tum Deus visibilibus erat induitus instrumentis, quibus videri poterat a creaturis, et accidentibus videri poterat extrinsecis.* Hoc siquidem errore decepti, corpus Christi ante verborum prolationem visibilibus panis accidentibus subesse conati sunt affirmare: cum e contra dicat auctoritas: *accedit Verbum ad elementum, et fit Sacramentum.* Quod sic exposuerunt: id quod ibi fuerat prius, formis visibilibus prolatione verborum subesse ostenditur. Item Filius incarnatus, i. e.

the Church: the followers of the latter, against whom a Synod of Paris, in 1209, commenced a bloody persecution, adopted the most immoral¹¹ inferences from this doctrine, and finally separated al-

visibili formae subjectus; nec aliter illum hominem esse Deum, quam unum ex eis cognoscere voluerunt. Item Spiritus sanctus in eis incarnatus, ut dixerunt, eis omnia revealabat: et haec revelatio nihil aliud erat, quam mortuorum resurrectio. Inde semetipos jam resuscitatos asserebant, fidem et spem ab eorum cordibus excludebant, se soli scientiae mentientes subjacere. Item de meritis praesumentes, gratiae derogantes, mentiti sunt, bonorum baptismatis non egere parvulos ex eorum sanguinibus propagatos, si suae conditionis mulieribus carnali possent copula misceri. Item Filius usque nunc operatus est, sed Spiritus sanctus ex hoc nunc usque ad mundi consummationem inchoat operari. Joh. Gerson, de concordia metaphysicae cum logica (opp. ed. du Pin, iv. 826), draws his statements with regard to Almaricus from the Commentary of the Cardinal Ostiensis (about 1260) on Decret. Greg. lib. i. tit. 1, cap. 2, § *Reprobamus*, and from the chronicon Martini Poloni. The first appear to be the most important, because Henricus Ostiensis is said to have had them immediately from Odo Episc. Tusculanus, who as Episcopal Chancellor of Paris took an active part in the Conc. Paris. ann. 1209. The passage is not to be found in Ostiensis Summa, but probably in his Lectura, which, according to a marginal note in the Summa ed. Basil. 1573, p. 2, he wrote after the Summa, and is given (more fully than in Gerson) in Jac. Thomasii origines hist. philosophicae et ecclesiasticae, Hallae, 1699, p. 113: Impii Almarici dogma istud colligitur in libro Magistri Joannis Scoti, qui dicitur Periphysion, i. e. de natura. Quem secutus est iste Almaricus, de quo hic loquitur. Sed et dictus Joannes in eodem libro auctoritates cuiusdam Graeci nomine Maximiliani introduxit. In quo libro, qui et per magistros damnatus fuit Parisius, multae haereses continentur. Primus et summus error est, quod omnia sunt Deus. Unde dicit: *motum Deo dare non possum: et sequitur: cum in ipso sint omnia, et cum ipse sit omnia.* Et alibi in eodem libro dicit, *non facile posse negari, creaturam et creatorem idem esse.* Secundus est, *quod primordiales causae, quae vocantur ideae, i. e. forma seu exemplar, creant et creantur.* Tertius est, *quod post consummationem saeculi erit adunatio sexuum, sive non erit distinctio sexus, quam adunationem in Christo asserit incepisse.* On this Gerson remarks: Praedictus Odo Tusculanus, qui fuerat Cancellerius Parisiensis, notaverat et damnaverat errores dicti libri, et ab hoc Odone dicit Hostiensis se praedictos errores accepisse. It is clear that the Card. Ostiensis is here quoting from the list of the heretical doctrines of Joh. Scotus, prepared by Odo; accordingly, those propositions are taken word for word from Joh. Scotus de divis. naturae. However, Card. Ostiensis only produces them to denote the heresies of Amalric, who drew from Joh. Scotus; and Gerson attributes these propositions immediately to Amalric. Martinus Polonus also (chron. ed. Antverp. 1574, p. 394, written 1271) takes the errors which he attributes to Amalric, expressly from that work: qui omnes errores inveniuntur in libro, qui intitulatur Periphyseon. Et hic liber inter alios libros condemnatos Parisiis ponitur, et is liber cum Almarico et suis sequacibus fuit Parisiis combustus. At any rate, the heretical doctrines of the latter were drawn substantially from the work of Joh. Scotus, see Kronlein, s. 287. But nothing could have been known of the moral perversion of the Almaricians in the year 1209, otherwise it would have been remarked and condemned by the Synod.

¹¹ Guilelmus Armoricus, who wrote in 1220, already asserts of them l. c. impudenter astriuere nitabantur, quod potestas Patris duravit, quamdiu viguit lex Mosaica; et quia scriptum est: *novis supervenientibus abjicientur vetera*, postquam Christus venit, aboleverunt omnia Testamenti veteris sacramenta, et viguit nova lex usque ad illud tempus. In hoc ergo tempore dicebant Testimenti novi sacramenta finem habere, et tempus s. Spiritus incepisse, quo dicebant confessionem, baptismum, eucharistiam, et alia, sine quibus salus haberet non potest, locum de caetero non habere, sed unumquemque tantum per gratiam Spiritus sancti interioris, sine actu aliquo exteriori, inspiratam salvari posse. Caritatis virtutem sic ampliabant, ut id, quod alias peccatum esset, si in virtute fieret cari-

together from the Church, under the name of the sect of the Free Spirit. Accordingly, a prohibition of Aristotle's works issued from that Synod in Paris¹² in 1209, and in 1215 from a Papal Legate.¹³ However, when, soon after this time, with the countenance of princes also, the genuine works of Aristotle were translated into Latin,¹⁴ partly from Arabic versions, partly and especially from the Greek, now that the Greek originals had become accessible, since the conquest of Constantinople, men began to recognize the difference between Aristotle and his Arabian commentators. That prohibition was in form only restricted,¹⁵ but in fact quite forgot-

tatis, dicerent jam non esse peccatum. Unde et stupra, et adulteria, et alias corporis voluptates in caritatis nomine committebant, mulieribus, cum quibus peccabant, et simplificibus, quos decipiebant, impunitatem peccati promittentes; Deum tantummodo bonum et non justum praedicantes. Caesarius Heisterbac. de miraculis lib. v. c. 22 (written in 1222): Si aliquis est in Spiritu sancto, ajebant, et faciat fornicationem, aut aliqua alia pollutione polluantur: non est ei peccatum, quia ille Spiritus, qui est Deus, omnino separatus a carne, non potest peccare: quamdiu ille Spiritus, qui est Deus, est in eo, ille operatur omnia in omnibus. Martinus Polonus chron. p. 395, adds this also to the heresies which Amalric is supposed to have adopted from Joh. Scotus: Dixerat etiam, quod in caritate constitutis nullum peccatum imputabatur. Unde sub tali specie pietatis ejus sequaces omnem turpitudinem committebant.

¹² In the Decree of this Synod, at which several priests were condemned to the stake (Martene thes. iv. 166), we find, Quaternuli Magistri David de Dinant infra Natale Episcopo Parisiensi afferantur et comburantur: nec libri Aristotelis de naturali philosophia, nec commenta legantur Parisius publice vel secreto. Et hoc sub poena excommunicacionis inhibemus. On this remarks Guilelmus Armoricus ad ann. 1209: in diebus illis legebantur Parisius libelli quidam ab Aristotele, ut dicebantur, compositi, qui docebant metaphysicam, delati de novo a Constantinopoli, et a Graeco in Latinum translati. Qui quoniam non solum praedictae haeresi sententiis subtilibus occasionem praebebant, immo et aliis nondum inventis praebere poterant, jussi sunt omnes comburi, etc. The book de causis attributed to Aristotle, and the *fons vitae* of Avicenna, which at that time were included together under the common name of Aristotelic natural-philosophy, were not, however, genuine works of Aristotle, but, as Jourdain has shown, p. 202 ss., works of Avicenna and Algazel.

¹³ See the Statutum Roberti Presb. Cardinalis, etc. in Bulaeus, iii. 81. Et quod legant libros Aristotelis de dialectica, tam de veteri quam de nova, in scholis ordinarie et non ad cursum.—Non legantur libri Aristotelis de metaphysica et naturali philosophia, nec Summa de eisdem, aut de doctrina M. David de Dinant, aut Almarici haeretici, aut Mauricii Hispani.

¹⁴ On the translators of the thirteenth century, see Jourdain, p. 130 ss. Among the princes the Emperor Frederick II., Alphonso X., king of Castile, and Manfred, king of Sicily, caused many translations to be made. Compare particularly Frederick's letter to the University of Bologna (in Petri de Vineis, lib. iii. ep. 67), with which he sends to it, compilationes varias, ab Aristotele aliisque philosophis sub græcis arabicisque vocabulis antiquitus editas, by his directions, per viros electos et in utriusque linguae prolatione peritos, translated into the Latin language. See on this head, Jourdain, p. 164 ss.

¹⁵ Gregorii IX. bull. ann. 1231, in Bulaeus, iii. 140 ss.—libris illis naturalibus, qui in Concilio provinciali ex certa causa prohibiti fuere, Parisius non utantur, quounque examinati fuerint, et ab omni errorum suspicione purgati.

ten, and after the year 1230 the supremacy of the Aristotelic philosophy in Western Christianity was decisive.¹⁶

The Dominicans and Franciscans especially, from the time that they first began to lecture publicly in Paris, sought to make their lectures attractive by a zealous profession of the Aristotelic philosophy; and thus, by applying it to Church teaching, they introduced the Second Period of Scholastic Theology.¹⁷ The characteristic of this period is this; it regarded Aristotle as a sure guide in all matters of secular knowledge, upon which theology rests, while, at the same time, it exalted theology above philosophy.¹⁸

¹⁶ Rogeri Bacon opus majus (about 1266) P. i. c. 9, ed. Jebb. p. 14: *Scimus enim, quod temporibus nostris Parisiis diu fuit contradictum naturali philosophiae et metaphysicae Aristotelis per Avicennae et Averrois exposidores, et ob densam ignorantiam fuerint libri eorum excommunicati, et utentes eis per tempora satis longa. Cum igitur—nos moderni approbamus viros praedictos,—et scimus quod omnis additio et cumulatio sapientiae, quas dederunt, sunt dignae omni favore, licet in multis alii diminuti sint, et in pluribus superflui, et in quibusdam corrigendi, et in aliquibus explanandi: manifestum nobis est, quod illi, qui per aetas singulas impediverunt documenta veritatis et utilitatis, quae oblata fuerint eis per viros praedictos, nimis erraverunt, et vitiosi plurimum fuerunt in hac parte; sed hoc fecerunt propter scientiae extollentiam et propter ignorantiam.*—P. 36 s. Et licet alia logicalia et quaedam alia translatata fuerint per Boetium de Graeco, tamen *tempore Michael Scoti*, qui *annis Domini 1230 transactis apparuit deferens librorum Aristoteles partes alias de naturalibus et mathematicis cum expositoribus sapientibus, magnificata est philosophia Aristotelis apud Latinos.* Michael Scotus was an astrologer at the court of Frederick II. He made translations from Arabic, Jourdain, p. 130 ss. Roger Bacon gives his opinion of him (see Jebbi *pref. ad opus majus*): Michael Scotus, ignarus quidem et verborum et rerum, fere omnia, quae sub nomine ejus prodierunt, ab Andrea quodam Judeo mutuatus est.

¹⁷ Matth. Paris, ann. 1243, p. 612: *Ipsis quoque temporibus videlicet post festum s. Michaelis, ut moris est, studiis scholarum et scholarium reforestibus, incipiebant magistri Theologiae, praeceps tamen praecepit Praedicatorum et Minorum lectores, disputare et disserere subtilius et celsius, quam decuit aut expedivit. Qui non verentes tangere montes, a gloria Dei opprimendi, nitebantur secreta Dei investigabilia temere perscrutari, et judicia Dei, quae sunt abyssus multa, nimis presumptuose indagare, etc.*

¹⁸ In this unbounded admiration for Aristotle the schoolmen followed their masters, the Arabs.—Compare Averroes' proemium in Aristotelis Physica (Tennemann VIII. i. 422): *Aristoteles tres scientias invenit, Logicam, Naturalem, Divinam: et nullus error inventus in eo est usque ad hoc tempus, quod est M.D. annorum. Et tales esse unum hominem, potius est miraculosum, quam humanum. Aristoteles est regula et exemplar, quod natura invenit ad demonstrandam ultimam perfectionem humanam. Aristotelis doctrina est summa veritas, quoniam ejus intellectus fuit finis humani intellectus. Quare bene dicitur, quod fuit creatus et datus nobis divina providentia, ut sciremus, quicquid potest sciri.* How far the schoolmen advanced in this admiration is shown, by a poem written at the end of the fifteenth century, by a theologian at Cologne, *de vita et morte Aristotelis* (reprinted in the Acta Philosoph. 15tes Stuck. s. 345 ff.), mentioned by Corn. Agrippa de Nettesheim de vanitate scientiarum, cap. 54, where we find in a note (l. c. s. 369): *Qui quidem Aristoteles adeo necessarius fuit ante verbi Dei incarnationem, sicut necessario collatio gratiae presupponit conditionem ipsius naturae: quia Aristoteles fuit legis naturae maximus doctor et inventor. Ex quo patet, quod Aristoteles fuit praecursor Christi in naturalibus, sicut Johannes baptista fuit praecursor Christi ad praeparandum ipsi plebem perfectam in gratuitis. Nec obstat, Aristotelem fuisse ante legem gra-*

The liberal arts, on the other hand, sank still lower in public estimation¹⁹

Alexander of Hales, the Franciscan, in Paris (Doctor irrefragabilis, † 1245)²⁰ formed the transition-state to this second period. But the two Dominicans, Albertus Magnus (Dominican monk from 1222 or 1223, lecturer in Paris and Cologne from 1260 to 1262, bishop of Ratisbon, † at Cologne in 1280),²¹ and his far greater pupil, Thomas Aquinas (Doctor Angelicus, lecturer in Paris, and many Italian towns, † 1274),²² whose system became the

tieae, quia dicit Augustinus, quod aliqui erant homines veteris legis, qui per gratiam personalém fuerunt de nova lege; etc.

¹⁹ According to Roger Bacon, in his time there were hardly four men of letters who were well acquainted with grammar, Jebb in *praef. ad opus maius* fol. 3. b. The school of Orleans only still held to grammar. Hence Henri d'Andely, at the end of the 13th century, describes, in a satirical poem, *La Bataille des sept arts* (printed in Grasse's *Literargeschichte* II. ii. i. 16), a battle which was fought between the Grammar and Poetry of Orleans, and the Logic and Philosophy of Paris.

²⁰ His principal work, *Summa universae theologiae*, in 4 partt., is an explanation of Lombard, ed. Venet. 1576. Colon. 1622. fol. voll. iv. Extracts in Cramer, vii. 161. Hist. litt. de la France, xviii. 312.

²¹ On his life, see Quetif et Echard scriptores Ord. Praedicatorum, i. 162. Opera (commentaries on Aristotle, on the Books of the Bible, on Dionysius the Areopagite, besides works on physics, philosophy, and theology) ed. Petrus Jammy Ord. Praed. Lugduni, 1651. xxi. Tom. fol. Among his theological works the most remarkable are his commentaries in iv. libb. *Sententiarum* (also Basil, 1506. fol.), and *Summa theologiae* (Basil. 1507. 2 voll. fol.). On the use which he makes of Aristotle, see Jourdain, p. 330 ss. Comp. Ritter's christl. Phil. iv. 181.

²² On his life, see *Acta SS. Mart. i. 655, ad d. vii. Mart. and A. Touron vie de s. Thomas d'Aquin. avec un exposé de sa doctrine et de ses ouvrages.* Paris, 1737. 4. Bern. de Rubeis disserrt. crit. et apologet. de gestis et scriptis ac doctrina s. Thomae Aquinatis. Venet. 1750. fol. Quetif et Echard scriptt. Ord. Praed. i. 271. Hist. litt. de la France, xix. 238. — On his use of Aristotle, see Jourdain, p. 434 ss. His most important theological works are, *Comment. in iv. libros Sententiarum Mag. P. Lombardi*;—*Summa theologiae* in iii. partt. (Pars ii. is divided into Prima and Secunda Secundae. Pars iii. is not finished, so in the editions a *Supplementum tertiae partis, ex ejusd s. Thomae scripto in quartum lib. Sententiarum excerptum*, is added. The genuineness of the Summa, which was called in question by Jo. Launojus veneranda Rom. Ecclesiae circa simoniam traditio, Paris. 1675. observ. 8, is proved by Natalis Alex. disserrt. ad hist. eccl. xiii. et xiv. saeculi diss. VIta, Echard scriptt. ord. Praed. i. 294. Oudinus de scriptt. eccl. iii. 353).—*Summa catholicae fidei contra Gentiles* in iv. libb. There are besides commentaries on Aristotle, on Holy Writ, etc. They have been very often printed, both separately and together. E. g. Romae, 1570. tomi xvii. ; Antverp. 1617. tomi xviii. ; Paris, 1660. voll. xxiii. fol. ed. altera Veneta emendata, acc. B. M. de Rubeis in singula opera admonitiones praeviae 1745–1760. tomi xxviii. 4. Ritter, iv. 257. [R. D. Hampden, Life of Thomas Aquinas, London. 1848. Art. Aquinas, in Kitto's Journal, vol. i. Hauréau, in his *Philos. Scholast.*—A. Jellinek, Thos. v. Aq. in der jüdischen Literatur. A French translation of the Sermons, by Abbé Ecalle. Tom. i. 1853; a new edition of his *De Veritate contra Gent.*, edited by Roux-Lavergne, Nîmes, 1854; and of the *Summa* in French and Latin, 8. 8. Paris, 1855. His *Catena aurea* is translated in connection with the Oxford Library of the Fathers, in 4 vols. 8.]

normal system of the Dominicans,²³ made much more use of Aristotle in theology. On the other hand, the Franciscan Bonaventura (Doctor Seraphicus, lecturer in Paris, cardinal, † 1274)²⁴ brought forward the mystic theology again, as well as the scholastic, and endeavored to unite the claims of both. In John Duns Scotus (Doctor Subtilis, lecturer in Oxford, Paris, and Cologne † 1308),²⁵ the Franciscans at last acquired a teacher re-

²³ Immediately after Thomas's death the Dominicans had to protect him against the enmity of the other theologians, both in Paris, where was his most eminent antagonist, Henricus Gandensis; and in Oxford the Dominican Robertus Oxfordius wrote at that time his *Protectorium Thomae Aquinatis* (*Bulaeus*, iii. 409). In the year 1276, Stephanus Tempier, bishop of Paris, *de consilio Magistrorum theologiae*, even condemned, among many other propositions, some taken from the works of Thomas (*d'Argentré de novis erroribus*, i. 188; cf. *Observationes*, p. 204, 217). The University of Oxford also acceded to this condemnation (*Bulaeus*, iii. 448, 482); and the Franciscan Guillelmus de Lamare in 1285 wrote at Oxford a *Reprehensorium F. Thomae* (*d'Argentré*, i. 218). On the other hand, the Dominicans agreed at a general chapter in Paris, 1286 (*Martene thes. anecd. iv. 1817*), no. 19, *ut Fratres omnes et singuli, prout sciunt et possunt, efficacem dent operam ad doctrinam ven. magistri Fratris Thomae de Aquino recolendae memoriae promovendam, et saltem ut est opinio defensandam*. Et si qui contrarium facere attentaverint assertive, sive sint Magistri, sive Baccallarii, Prioress et alii Fratres etiam aliter sentientes, ipso facto ab officiis propriis et aliis Ordinis sint suspensi, etc., and many Dominicans wrote against the *Reprehensorium* (*d'Argentré*, l. c.). After that Thomas was canonized by John XXII. in the year 1322, Stephanus de Borreto, bishop of Paris at that time, was induced in 1325 to abrogate the decision of his predecessor against St. Thomas. (See the Decree in *Bulaeus*, iv. 224, *d'Argentré*, i. 222.) Thereupon the Dominicans decreed in the general chapter, apud Carcassonam, 1342 (in *Holstenii codex Regularum ed. Brockie*, iv. 114): *Cum praeclarissima doctoris Angelici s. Thomae Aquinatis doctrina in toto orbe terrarum tanquam lux solis eluceat, et ut firmissima ac solidissima doctrinarum omnium a sede apostolica, et a principalibus Ecclesiae doctoribus cum testimonio Episcopi atque Universitatis Parisiensis honorifice approbata fuerit, et divinis laudibus ornata: imponimus lectoribus et studentibus, ut spretis et postpositis vanis et curiosis ac frivilis doctrinis, quarum plurimae a veritate abducant, ejusdem sanctissimi Doctoris doctrinac omnino dent operam, et assidue studeant, juxta quam quaestiones omnes et dubia determinent.* But a letter from the Theological Faculty in Paris to the Pope in the year 1387 shows that they found much to censure in Thomas, in *Launoy de varia Aristotelis in Acad. Paris. fortuna cap. 10* (ed. Elswich, p. 213 ss.).

²⁴ On his life, see *Hist. litt. de la France*, xix. 266. Among his theological works are, *Commentarius in iv. libb. Sententiarum*; and two hand-books of Divinity, *Breviloquium* (textum recognovit C. J. Hefele, Tubing. 1845. Comp. *Münchener gel. Anz.*, April, 1846, s. 601) and *Centiloquium*, this last for beginners. Besides, there are many mystical works by him, e. g. *Itinerarium mentis in Deum*, *De vii. gradibus contemplationis*, etc.—*Opera, jussu Sixti V. emendata*, Romae, 1588, t. viii. fol. Venetis, 1751 ss. t. xiii. 4.

²⁵ There are many philosophical writings by him, especially commentaries on Aristotle. Among his theological works are, *Quaestiones in libros iv. Sententiarum* (*Opus angelicum s. Oxoniense*, in opposition to the earlier unfinished *Opus Parisiense*, best edition by Hugo Cavellus. Antverp. 1620. 2 voll. fol.), and *Quaestiones quod libetales xxi. — Opera ed. Luc. Wadding. Lugd. 1639 ss. t. xii. fol.* Baumgarten-Crusius de *theologia Scoti* (Jenaer Weihnachtsprogr. 1826). Ritter, iv. 354. [Cf. Hauréau, u. s. H. Ritter, *Sketch of Scholastic Philosophy in the Historisches Taschenbuch*, 1856.]

markable for the most subtle speculations, whom they could set up against the Thomas of the Dominicans.²⁶

The deficiencies and partialities of the theologians of this time were recognized by many,²⁷ most plainly by the great Franciscan Roger Bacon (Doctor mirabilis, lecturer in Oxford † 1294),²⁸ who showed a wonderful keenness of vision on all points in every branch of human knowledge.²⁹

²⁶ Cf. Waddingi annales Minorum, ann. 1308, § 64: *In aliquot comitiis generalibus statutum est, ut lectores omnes et magistri, tam in cursu philosophico quam theologicō, ejus sententiam sequerentur.* When first, Wadding does not pretend to determine: however, the Franciscan Occam, a pupil of Duns, calls him *Ordinis Doctorem*.

²⁷ *Guil. Durantis (1311) de modo generi Concilii celebrandi (s. § 62, not. 28), P. III. rubr. 16: Cum dicti religiosi (the mendicant friars) dimisso bibliae et verae theologiae studio, et his quae aedificare possent Ecclesiam Dei, dialecticorum tendiculis et fantasmatibus theologiae studium destruentibus, et in sermonibus et prædicationibus ad eorum ostentationem frequenter rhythmis et quibusdam profanitatibus abutantur, et in generalibus et particularibus studiis curiositatibus et vanis disceptationibus vacent, — videretur super his et aliis eos tangentibus providendum.*

²⁸ Concerning him, compare Sammlung v. merkw. Lebensbeschreibungen. grosstenth aus d. britann. Biographie, unter Baumgartens Aufsicht, iv. 616. Jourdain, p. 413. Ritter, iv. 473. Hist. litt. de la France, xx. 227 His most important work, *Opus majus* (a collection of treatises made in 1226 at the request of Clement IV.), ed. Sam. Jebb. Lond. 1733. fol., in abstract in the Brit. Biogr. iv. 627.

²⁹ Compare the passages which Jebb, in the *Praef. ad Opus majus*, quotes from Bacon's unprinted works: *Nunquam fuit tanta apparentia sapientiae, nec tantum exercitium studii in tot facultatibus, in tot regionibus, sicut jam a XL annis. Ubique enim Doctores sunt dispersi, — in omni civitate, et in omni castro, et in omni burgo, præcipue per duos Ordines studentes (Dominicans and Franciscans), quod non accidit nisi a XL annis vel circiter, cum tamen numquam fuit tanta ignorantia, tantus error. — Si haberem potestatem super libros Aristotelis (namely, the Latin translations); ego facerem omnes cremari, quia non est nisi temporis amissio studere in illis, et causa erroris et multiplicatio ignorantiae ultra id quod valeat explicari. — Vulgus studentum cum capitibus suis non habet unde excitetur ad aliquid dignum, et ideo languet et asinat circa male translata, et tempus et studium amittit in omnibus et expensas. Apparentia quidem sola tenet eos, et non curant, quid sciant, sed quid videantur scire coram multitudine insensata. — Cf. Opus majus P. i. c. 1 (ed. Jebb. p. 2): Quatuor vero sunt maxima comprehendendae veritatis offendicula, quae omnem quemque sapientem impediunt, et vix aliquem permittunt ad verum titulum sapientiae pervenire, videlicet fragilis et indignae auctoritatis exemplum, consuetudinis diuturnitas, vulgi sensus imperiti, et propriæ ignorantiae occultatio cum ostentatione sapientiae apparentis. — Ex his autem pestibus mortiferis accident omnia mala humano generi: nam ignorantur utilissima et maxima et pulcherrima sapientiae documenta, et omnium scientiarum et artium secreta; sed pejus est, quod homines horum quatuor caligine excaecati non percipiunt suam ignorantiam, sed — aestimant se esse in plena luce veritatis. Cap. 12, p. 16: Cum linguarum cognitio et mathematicae est maxime necessaria studio Latinorum, — et fuit præcise in usu Sanctorum et omnium sapientum antiquorum, nos moderni negligimus, admihilamus, et reprobamus, quia ista et eorum utilitatem nescimus. Deinde si aliqui sapientes et Sancti alia neglexerunt, aut humana fragilitate devicti aut ex causa rationabili, nos præsentis temporis obstinate et pertinaciter negligimus et reprobamus, fortificantes nostram ignorantiam propter hoc quod Sancti et sapientes neglexerunt, non volentes considerare quod in omni homine est multa imperfectio sapientiae, tam in Sanctis quam in sapientibus. — Pars iii. de utilitate Grammaticae, p. 41: Impossible enim est, quod Latini perveniant ad ea, quae necessaria sunt in divinis et hu-*

§ 75.

RISE OF THE THOMISTS AND SCOTISTS.

J. Arada controversiae theolog. inter s. Thomam et Scotum super iv. libros sententiarum, in quibus pugnantes sententiae referuntur, potiores difficultates elucidantur, et responsiones et argumenta Scotti rejiciuntur. Coloniae, 1620. 4.

Since the two orders of Dominicans and Franciscans adopted as the systems of their respective orders the differing doctrinal systems of Thomas Aquinas and Duns Scotus, they entered upon the regions of philosophy and theology from opposite quarters as the hostile parties of Thomists and Scotists. In philosophy the theory of Universals was principally¹ controverted between them: on this head Thomas held Aristotelian,² and Scotus rather Platonic³ opinions: in theology again, among many other points of

manis, nisi notitiam habeant aliarum linguarum.—Nam totus textus sacer a Graeco et Hebreo trans fusus est, et philosophia ab his et Arabicо deducta est; sed impossibile est quod proprietas unius linguae servetur in alia. — Et ideo nullus Latinus sapientiam sacrae Scripturae et philosophiae poterit ut oportet intelligere, nisi intelligat linguas, a quibus sunt translatae.—Solus Boethius primus interpres novit plenarie potestatem linguarum: et solus dominus Robertus, dictus *Grossum Caput*, novit scientias. Alii quidem mendici translatores defecerunt multum tam in scientiis quam in linguis: quod ostendit eorum translatio. Nam tanta est perversitas et horribilis difficultas, maxime in libris Aristoteles translatis, quod nullus potest eos intelligere. Sed quilibet alii contradicit, et multiplex reperitur falsitas, ut patet ex collatione diversorum interpretum et textuum diversarum linguarum. Et similiter in textu sacro inveniuntur falsa, et male translata quam plurima.—Ne (Hieronymus) nimia novitate deterret Latinos, ideo, ut ipse scribit, aliquando coaptavit se LXX. interpretibus, et aliquando Theodotioni, aliquando Aquilae, et ideo multa dimisit, et propter hoc remanserunt plura falsa.—Pars iv. in qua ostenditur potestas mathematicae in scientia, et rebus, et occupationibus hujus mundi. P. 57: sunt quatuor scientiae magnae, sine quibus caeterae scientiae sciri non possunt, nec rerum notitia haberi.—Et harum scientiarum porta et clavis est mathematica, quam Sancti a principio mundi invenerunt, ut ostendam, et quae semper fuit in usu omnium Sanctorum et sapientum prae omnibus aliis scientiis. Cujus negligentia jam per triginta vel quadraginta annos destruxit totum studium Latinorum. Although Bacon prefers Aristotle to all other philosophers, he shows plainly enough in many places that even Aristotle is not free from errors; e. g. P. II. c. 8, page 36: *Hic (Aristoteles) praecedentium philosophorum errores evacuavit, et augmentavit philosophiam, aspirans ad ejus complementum, quod habuerint antiqui patriarchae, quamvis non potuit singula perficere.* Nam posteriores ipsum in aliis correxerunt, et multa ad ejus opera addiderunt. et adhuc addentur usque ad finem mundi; quia nihil est perfectum in humanis inventionibus.

¹ On certain other differences in philosophy, comp. Tennemann VIII. ii. 723 sq. 739, 750, 752, 772.

² Cf. Thomae opuscc. 55 et 56, de Universalibus. He adopted the solution of Aristotle: quod universale est in multis, et unum praeter multa; and of Boethius: universale dum intelligitur, singulare dum sentitur. Thus he is not a nominalist, but an Aristotelian realist, Tiedemann, iv. 549. Tennemann, VIII. ii. 560. Ritter, iv. 323.

³ Scotus in Sentent. lib. ii. dist. 3, qu. 1. Tennemann, VIII. ii. 728. Ritter, iv. 428. Accordingly, Scotus Sent. i. dist. 8, qu. 4, asserts even a distinctio perfectionum *essentia-*

difference,⁴ the doctrines of Free Will and Grace were most prominent;⁵ with which then the question of the immaculate concep-

lum in Deo, in opposition to the Thomist *dist. perf. attributalium*. See Tennemann, s. 770. Ritter, iv. 386.

* Thus Scotus, Sent. lib. iii. dist. 19 et 20, attacks the opinion of Thomas about an infinitas meriti Christi. Other differences touching morals see in Staudlin's *Gesch. der Sitten*. Jesu, iv. 394 sq. 403.

Thomas exactly follows Augustine in the doctrine of original sin and the necessity of grace (e. g. *Summa theol. Prima Secundae* qu. 109, and in his *Comment. ad Rom. c. 6*, *ad Ephes. c. 2*, and *ad Titum. c. 3*): nevertheless, he took care, at the same time, to vindicate human merit. Compare *Prima Secundae* qu. 114, art. 3: *Opus meritorium hominis duplamente considerari potest. Uno modo, secundum quod procedit ex libero arbitrio; alio modo, secundum quod procedit ex gratia Spiritus sancti. Si consideretur secundum substantiam operis, et secundum quod procedit ex libero arbitrio: sic non potest ibi esse condignitas, propter maximam inaequalitatem; sed est ibi congruitas, propter quandam aequalitatem proportionis. Videtur enim congruum, ut homini operanti secundum suam virtutem Deus recompensem secundum excellentiam suac virtutis. Si autem loquamur de opere meritorio, secundum quod procedit ex gratia Spiritus sancti: sic est meritorium vitae aeternae ex condigno.* Then, indeed, he shows, art. 5, *quod nullus potest sibi mereri primam gratiam (or gratiam praevenientem, cf. qu. 111, art. 8)*; but art. 8, he answers the question, *Utrum homo possit mereri augmentum gratiae vel caritatis, in the affirmative: augmentum gratiae cadit sub merito condigni.*

Scotus, on the other hand, is Semipelagian. He declares in *Sentent. lib. ii. dist. 32, qu. unic. § 7*, *originale peccatum to be only, carentia justitia debitae. Lib. ii. dist. 28, qu. unic.* in opposition to the Magister sententiarum, he answers in the affirmative the question: *utrum liberum arbitrium hominis sine gratia posset cavere omne peccatum mortale?* with a reference to *Rom. ii. 14: ubi videtur Apostolus increpare Iudeos in hoc, quod gentes sine lege data servabant legem: ergo cavebant ab omni peccato; et tamen (ut videtur) non habuerunt gratiam. Lib. iii. dist. 27, qu. unic.* against the position of Thomas, *naturam intellectualem non posse diligere Deum super omnia sine habitu infuso*, he asserts: *quod ex puris naturalibus potest quacunque voluntas saltem in statu naturae institutae diligere Deum super omnia. Lib. ii. dist. 37, qu. 2*, to the question: *Utrum voluntas creata sit totalis causa et immediata sui velle, ita quod Deus respectu illius non habeat aliquam efficaciam immediatam sed mediata?* he answers: *potest dici, quod voluntas est totalis causa et immediata respectu sua voluntionis. Quod probatur per rationes: primo, quia aliter ipsa non esset libera; secundo, quia etiam aliter nihil contingenter causare posset; tertio, quia aliter non posset peccare; quarto, quia aliter omnino nullam actionem habere posset; quinto, ex comparatione ejus ad alias causas creatas.* On the conditions of the communication of grace, *ibid. § 14. Universaliter quidquid Deus dat antecedenter, daret illud consequenter quantum est ex se, nisi esset impedimentum dando autem voluntatem liberam, dedit antecedenter opera recta, quae sunt in potestate voluntatis, et ideo quantum est ex parte sui, dedit rectitudinem omni actui voluntatis, et voluntati ex consequenti daret, si ipsa voluntas quemcunque actum elicitum recte ageret ex parte sui. Lib. i. dist. 17, qu. 3, § 28: Voluntas est quasi equus liber, et gratia quasi sessor per modum naturae inclinans ad objectum per modum determinatum. Secundum hujus inclinationem actus voluntatis placet, aliter non placebat: sicut quando est peccatum veniale, vel actus indifferens. Quando autem sessor abjicitur, quod fit per peccatum mortale, omnino ipsa voluntas fit displicens. Hoc etiam modo voluntas est pedissequa, quia non ex se ita determinate inclinat ad terminum, propter quam inclinationem actus acceptatur, sicut gratia inclinat: et voluntas potest illud participare a gratia, quia competit gratiae magis per essentiam, quam sibi, et in hoc ipsa erit causa secunda. Tamen in eliciendo actum voluntas habet primam rationem motivi, ita quod in causando aliquid intrinsecum actui non sit voluntas secunda causa, sed in essendo, propter quod actus acceptetur: quod dicit respectum ejus ad extrinsecum, etc.—The conception which each of*

tion of the Virgin Mary was connected (see below, § 78, notes 14 and 15. Part 3, § 119).

§ 76.

II. HISTORY OF THE REMAINING THEOLOGICAL SCIENCES.

Next to those scholastic systems of doctrine, canon law was most zealously studied,¹ after that it likewise had received from Gratian a scholastic and scientific shape.

Morals² were treated by Abelard in a peculiar manner.³ The later schoolmen, after the example of Lombard, handled them but cursorily⁴ in their theological text-books. The *Summa de virtutibus et vitiis*⁵ of the Dominican Guilelmus Peraldus († 1250), and the *Secunda Secundae*⁶ of Thomas Aquinas, are worthy of notice. Casuistry, as well as moral philosophy, was brought into a scholastic and scientific form by Raymund de Pennaforti,⁷ in the place of the ancient *libri poenitentiales*: on account of its importance in the performance of ecclesiastical offices, it was held in higher estimation than these books. The mystics, Bernard, Hugo, and Richard de St. Victor, and Bonaventura, did more to develop and rec-

them formed of the Pelagian heresy must not be overlooked. Thomas, *Summa theol.* P. I. qu. 23, art. 5: Posuerunt Pelagi, quod initium bene faciendi sit ex nobis, consummatio autem a Deo. Scotus in *Sent. lib. ii. dist. 28, qu. unic. § 1:* in hoc videtur esse haeresis Pelagiana, quod liberum arbitrium sufficiat sine gratia.

¹ See above, § 60.

² On the moral philosophy of the schoolmen in general, see de Wette, *Gesch. d. christlichen Sittenlehre*, ii. 116. Staudlin's *Gesch. d. Moralphilosophie*, s. 466. His *Gesch. d. Sittenlehre Jesu*, iv. 298.

³ See *Ethica*, under the title: *Scito te ipsum*, in B. Pezii *thesaur. anecdot.* III. ii. 627 (comp. § 73, not. 16) in abstract, in Cramer, v. ii. 384, and de Wette, ii. 124. On its peculiarities, see Staudlin's *Gesch. d. Moralphilosophie*, s. 478 sq. His *Gesch. d. Sittenlehre Jesu*, iv. 304. Neander d. heil. Bernhard. s. 130, 174 sq. Frerichs comm. de P. Abaelardi doctrina dogmatica et morali. Jenae, 1827. 4. p. 28 ss. Statements from his *Ethics* were brought against him at the Council of Sens, see in the *Capit. errorum Abael. cap. xiii. and xix.*, above, § 73, note 23.

⁴ Joh. Sarisbur. *metalogic. lib. ii. c. 11:* An voluptas bona sit, an praeeligenda virtus, an in summo bono habitudines, an sit in indigentia laborandum, purus et simplex dialeucus raro examinat.

⁵ Often published, last at Paris 1629. 4. An abstract is found in Schröckh, xxix. 298. De Wette, ii. 169.

⁶ Extracts in Schröckh, xxix. 111. De Wette, ii. 137. Staudlin's *Gesch. d. Moralphilos.* s. 494 sq. *Gesch. d. Sittenl. Jesu*, iv. 337.

⁷ *Summa de poenitentia et matrimonio*, usually *Summa Raymundiana*, often published, e.g. cum glossis Johannis de Friburgo, Romae, 1603. fol. There is an abridgment in Schröckh, xxviii. 116. On Casuistry in general, see de Wette, ii. 206.

ommend the means of extending morality, which mysticism prescribes, than to enrich the science of moral philosophy.⁸

While the interpretation of the Old Testament was so remarkably advanced among the Jews by such men as R. Solomon Jarchi from Troyes († after 1105), R. Aben Esra from Toledo († 1167), R. David Kimchi at Narbonne (about † 1230), and R. Moses ben Maimon in Cordova († at Cairo in 1205),⁹ among the Western Christians the interpretation of Scripture was neither held in due estimation as a study¹⁰ nor pursued in the right manner. The text of the Latin Vulgate, which stood in the place of the original text, was much corrupted by ignorance of criticism, and the attempts to mend it only increased the confusion.¹¹ The interpretation was drawn almost exclusively from the fathers of the Church: with regard to the meaning of the words, most men were satisfied with the secondary sources of the *Glossa ordinaria*,¹² and the *Glossa interlinearis* of Anselm, dean and scholastic at Laon († 1117).¹³

⁸ On this head, see Schrockh, xxix. 263. Stäudlin's *Gesch. d. Sittenlehre Jesu*, iv. 406. De Wette, ii. 208.

⁹ Concerning these writers, see Rich. Simon hist. crit. du vieux Testam. p. 170 ss. Wolfii biblioth. hebraea, vol. i. G. W. Meyer's *Gesch. d. Schrifterklärung seit d. Wiederherstellung d. Wissenschaften*, i. 85 [cf. Biographical Notices of some of the most distinguished Jewish Rabbis, by Samuel H. Turner, D.D. 12mo. New York, 1847].

¹⁰ Cf. Rogerius Bacon in *Opus majus* P. ii. c. 4, p. 28: *Baccalaureus, qui legit textum (Holy Scripture), succumbit lectori Sententiarum, et [hic] ubique in omnibus honoratur et praefertur. Nam ille, qui legit sententias, habet principalem horam legendi secundum suam voluntatem, habet et socium et cameram apud religiosos: sed qui legit Biblam, caret his, et mendicat horam legendi secundum quod placet lectori Sententiarum. Et qui legit Summas, disputat ubique, et pro magistro habetur; reliquus, qui textum legit, non potest disputare: sicut fuit hoc anno Bononiae et in multis aliis locis: quod est absurdum. Manifestum est igitur, quod textus illius facultatis (theology) subjicitur uni Summae magistrali.—Omnis alia Facultas utitur textu suo solo, et legitur textus in scholis, quod scito textu sciuntur omnia, quae pertinent ad Facultatem, propter quam textus sunt facti: et longe majus est, quod textus hic de ore Domini et Sanctorum allatus mundo est, ita magnus, quod vix sufficeret aliquis lector ad perlegendum eum in tota vita sua.*

¹¹ Cf. Humphrey Hody de *Bibliorum textibus originalibus*. Oxon. 1705. fol. p. 416 ss. *Literarisches Museum* (Altorf, 1787) Bd. 1, St. 1, S. 1, ff. St. 2, S. 77 ff. St. 3, S. 344 ff. Meyer's *Gesch. d. Schriftausl.* i. 93. L. van Ess pragmat. krit. *Gesch. d. Vulgata*. Tübingen, 1824. S. 160. About 1144 Cardinal Nicolas complains (see Hody, p. 417): exemplaria, —quae a doctissimis viris dicebantur correcta,—adeo diserepabant, ut paene quot codices tot exemplaria reperirem. Also, the different *Correctoria Bibliae* were subjects of party jealousy to the mendicant friars in the 13th century. On their mode of proceeding, cf. Roger. Bacon epist. ad Clem. IV. in Hody p. 429: *Quilibet lector in Ordine Minorum corrigit, ut vult, et similiter apud Praedicatorum,—et quilibet mutat, quod non intelligit, etc.*

¹² See above, Div. i. § 10, note 16.

¹³ Often published together with the *Glossa ordinaria*. There is an unfavorable opinion of Anselmus Laudunensis in *Abaelardi hist. calamit. suar.* c. 3.

Among the exegetical works of this age, Abelard's commentary on the epistle to the Romans, and the *expositio continua in Evangelia* (*Catena aurea in Evangelia*),¹⁴ by Thomas Aquinas, are distinguished chiefly for their attempts at an historical and grammatical interpretation. As an exegetical compiler, Cardinal Hugo, of St. Chers († 1263), is most eminent.¹⁵ Immeasurably prolix are the exegetical remains¹⁶ of this age, in which mystics, as Bernard of Clairvaux, and Rupert, abbot of Deutz († 1135),¹⁷ and schoolmen, as Thomas Aquinas and Bonaventura, lingering¹⁸ with especial affection on the most difficult books of the Bible, endeavored to ascertain the fourfold meaning of Holy Writ.¹⁹ But only compassion is roused at the sight of so much acuteness, so unprofitably squandered.

¹⁴ Tholuck de Thoma Aquin. atque Abaelardo interpretibus Novi Test. (Hall Oster-progr. 1842). On Thomas, see Rich. Simon hist. crit. des principaux commentateurs du Nouv. Test. p. 470.

¹⁵ Properly Hugues de St. Chers. On him see Quetif et Echard scriptt. Ord. Praedicatt. i. 194. Hist. litt. de la France, xix. 38. His *Postillae in universa biblia juxta quadruplicem sensum* ed. Basil, 1498 and 1504. Paris. 1548. vii. voll. fol.—His *Concordantiae saecorum bibliorum* (Concord. s. Jacobi.), ed. Basil. 1543 and 1551. fol. first brought the division of the Bible into chapters into general use.

¹⁶ Concerning these, see Cramer, vi. 81. Schröckh, xxviii. 321.

¹⁷ Opp. ed. Mogunt. 1631. ii. voll. fol. (There was a pirated edition full offaults issued at Paris, 1638.) Cf. Hist. littéraire de la France, xi. 422.

¹⁸ Ed. Cunitz hist. crit. de l'interprétation du cantique des cantiques, thèse. Strasbourg, 1834. 4. p. 20.

¹⁹ Johannes Saesburiensis, otherwise so clear, gives in to this custom, Polycraticus lib. vii. c. 12: *Divinae paginae libros, quorum singuli apices divinis pleni sunt sacramentis, tanta gravitate legendos forte concesserim, eo quod thesaurus Spiritus sancti, cuius digito scripti sunt, omnino nequeat exauriri. Licet enim ad unum tantummodo sensum accommodata sit superficies literae, multiplicitas mysteriorum intrinsecus latet. Et ab eadem re saepe allegoria fidem, tropologia mores variis modis aedificat, anagoge quoque multipliciter sursum ducit, ut litera non modo verbis, sed rebus ipsis instituat. At in liberalibus disciplinis, ubi non res, sed duntaxat verba significant, quisquis pro sensu literae contentus non est, aberrare videtur mihi, etc.*

FIFTH CHAPTER.

HISTORY OF DIVINE SERVICE.

Liturgical Works of this Age: Iponis Carnotensis¹ († 1115) micrologus de ecclesiasticis observationibus (in Melch. Hittorpii de divinis cath. Eccl. officiis ac ministeriis variis vetustorum scriptt. libri. Colon. 1568. p. 434, and in Biblioth. PP. Lugd. xviii. 469). — Ruperti Tuitiensis († 1135) de divinis officiis libb. xii. (in Opp. ii. 750). — Jo. Belethi (according to Henricus Gandav. theologicae scholae rector Parisiis, according to Albericus chron. p. 363, floruit in Ecclesia Ambianensi about 1182) divinorum officiorum ac eorundem rationum brevis explicatio (prim. ed. Corn. Laurimann. Antv. 1553. 8. frequently appended to the *Rationale Durantis*). — *Principal Work*: Guilelmi Durantis (his name is Durantis or Duranti, not Durandus) Episc. Mimatensis († 1296, see Savigny's Gesch. d. röm. Rechts im Mittelalter, v. 501. Hist litt. de la France, xx. 411). *Rationale divinorum officiorum* libb. viii. (according to lib. viii. c. 9, it was composed in the year 1286: it was often published in the 15th and 16th centuries, also at Venice in 1609. 4). Translated into French by Chs. Barthélémy, 5, 8. Paris, 1854.

§ 77.

HISTORY OF THE SACRAMENTS.

The doctrine of the change of elements in the Lord's Supper, as it was determined in opposition to Berengarius, was by no means universally received in the 12th century.² In particular, it did

¹ That Ivo is the author, Wharton has discovered in the Auctar. historiae J. Usserii de Scripturis et Sacris vernaculis, London, 1690. 4. p. 395.

² Zacharias Ep. Chrysopolitanus (about 1157) comm. in Monotessaron (Bibl. PP. Lugd. xix.) lib. iv. c. 156: Sunt nonnulli, imo forsitan multi, sed vix notari possunt, qui cum damnato Berengario idem sentiunt, et tamen eundem cum Ecclesia damnant. In hoc videlicet damnant eum, quia formam verborum Ecclesiae abjiciens, nuditate sermonis scandalum movebat. Non sequebatur, ut dicunt, usum Scripturarum, quae passim res significantes tanquam significatas appellant, praesertim in sacramentis, ut corum virtutes exprimant. Aliis vero latenter imponunt, quod non intelligent tropos et figuratas locutiones, ideoque miserabili morte animae signa pro rebus accipiant. Illud quoque maxime derident, quod panis et vini species dicunt in aere apparere; quidam vero, sensus corporales falli post conversionem panis et vini in carnem et sanguinem Christi, etc. Cf. Rupertus Abb. Tuitiensis comm. in Johannem, lib. vi. c. 6.—The different opinions of this age concerning the Lord's Supper are thus given by Algérus, presbyter of Liege, afterward monk of Cluny (about 1130) in prologo in lib. de Sacram. corp. et sang. Dom. Bibl. PP. Lugd. xxi. 251 (in the Voyage littéraire de deux relig. Bénéd. ii. 125, this passage is attributed to an anonymous writer): Alii panem et vinum non mutatum, sed solum sacramentum, sicut aquam baptismatis, vel oleum chrismatis, corpus Christi non vere, sed figurate vocari dicunt.—Alii autem dicunt, panem non solum sacramentum, sed in pane Christum quasi impanatum, sicut Deum in carne personaliter incarnatum. Alii autem panem et vinum in carnem et sanguinem mutari, sed non Christi, sed cuiuslibet filii hominis sancti et Deo accepti, ut compleatur, quod Christus dixit; nisi manducaveritis carnem filii hominis, non habebitis vitam in vobis. Alii autem gratiae Dei derogantes di-

not agree with the opinions of the mystics,³ who favored a more spiritual view, nearly so well as with those of the common folk, fond as they were of the miraculous — to whom, from time to time, the flesh and blood visibly appeared in their natural form;⁴

cunt, sacerdotum malis meritis ita invocationem divini nominis annullari, ut eorum indigna consecratione non debeat panis in Christi carnem converti. Alii vero mutari quidem in carnem Christi, sed malis meritis sumentium non permanere carnem Christi, sed iterum reverti in purum sacramentum panis et vini. Alii, quod est deterius, dicunt, per comeditionem in foedae digestionis converti corruptionem.

³ Cf. Bernardi sermo i. in coena Domini, § 2 (Opp. ed. Mabillon, ii. 87) : Sacramentum dicitur sacrum signum sive sacram secretum. Multa siquidem sunt propter se tantum, alia vero propter alia designanda, et ipsa dicuntur signa et sunt. Ut enim de usualibus sumamus exemplum : datur annulus absolute propter annulum, et nulla est significatio : datur ad investiendum de hereditate aliqua, et signum est ; ita ut jam dicere possit, qui accipit : annulus non valet quicquam, sed hereditas est, quam quaerebam. In hunc itaque modum appropinquans passioni Dominus de gratia sua investire curavit suos, ut invisibilis gratia signo aliquo visibili praestaretur. Ad hoc instituta sunt omnia sacramenta, ad hoc eucharistiae participatio, ad hoc pedum ablutio, ad hoc denique ipse baptismus, initium sacramentorum omnium, etc. Sermo in festo s. Martini, § 10 (l. c. p. 181) : usque hodie eadem caro nobis, sed spiritualiter utique, non carnaliter, exhibetur. — Rupertus Tuitiensis de Trinitate et operibus ejus in Exodus, lib. ii. cap. 10 (Opp. ed. Mogunt. 1631. i. 191) : Totum attribuetis operationi Spiritus sancti, cuius effectus non est destruere vel corrumpere substantiam, quamcunque suos in usus assumit, sed substantiae bono permanenti, quod erat, invisibiliter adjicere, quod non erat. Sicut naturam humanam non destruxit, cum illam operatione sua ex utero Virginis Deus Verbo in unitatem personae conjunxit : sic substantiam panis et vini, secundum exteriorem speciem quinque sensibus subjectam, non mutat aut destruit, cum eidem Verbo in unitatem corporis ejusdem, quod in cruce cependit, et sanguinis ejusdem, quem de latere suo fudit, ista conjugit. Quomodo Verbum a summo demissum caro factum est, non mutatum in carnem, sed assumendo carnem : sic panis et vinum, utrumque ab imo sublevatum, fit corpus Christi et sanguis, non mutatum in carnis saporem sive in sanguinis horrorem, sed in assumendo invisibiliter utriusque, divinae scilicet et humanae, quae in Christo est, immortalis substantiae veritatem. Cf. ejusd. divinis officiis lib. ii. cap. 9 (Opp. ii. 762). E. g. quod cum in ora fidelium sacerdos distribuit, panis et vinum adsumitur et transit ; partus autem Virginis cum unito sibi Verbo Patris et in caelo et in hominibus integer permanet et inconsumentus. Sed in illum, in quo fides non est, praeter visibles species panis et vini, nihil de sacrificio pervenit. Cf. J. G. de Lith de adoratione panis consecrati et interdictione s. calicis in eucharistia, p. 113 ss. Accordingly, Bellarmine (de controversiis christ. fidei tom. ii. lib. iii. c. 11 and 15) declares this doctrine of Rupert to be heretical. Gabr. Gerberon apologia pro Ruperto Tuitensi, Paris, 1669. 8. has taken pains to prove it catholic.

* Schröckh, xxviii. 69. Hence Alexander Hales, in Sent. P. iv. qu. 53, membr. 4, art. I, puts the question expressly : Quaeritur, si post consecrationem appareret revera caro Christi in sua forma, ut si appareret in forma unius pueri, vel carnis cruentae, vel digitii, vel membra alicujus, an esset sumenda ? Responso, quod non, etc. Art. 3, gives to the question : quid sit illud, quod quandoque appareret in specie carnis vel pueri in altari, an sit corpus Christi ? this answer, quod caro vel sanguis in hujusmodi apparitione, quando a Domino est, est ipsius Domini. A Domino esse dico, quia hujusmodi apparitiones quandoque accident humana procuratione et forte diabolica. At times the design of the miracle was very plain. When, for instance, the Abbey of Walkenried was in want of money to complete the building of its church, the miracle happened in the year 1252, in the country chapel at Othstedt, which was dependent on the monastery, and pilgrimages to the spot soon brought in gifts enough, see Leuckfeld antiquitates Walkenredenses, p. 167.

and with those of the schoolmen, with whose purely intellectual caste of mind that material explanation of the real presence of Christ in the Eucharist corresponded better than the mystic view. After that this doctrine of transubstantiation⁵ had been defined by the schoolmen as meaning that the whole Christ was present in both kinds,⁶ it received, under Innocent III., its first confirmation by a general Council;⁷ nevertheless, reason long struggled against this new chain; and thus even after this confirmation many a controversy⁸ rose up on this point. The higher view of this sacra-

⁵ The word Transubstantiatio does not first occur in Hildebert, archbishop of Tours (*Sermo xciii. synodicus ad sacerdotes*), but before then, in the *Expositio can. Missae sec. Petr. Damiani in A. Maji scriptt. vett. nova coll. vi. ii. 215*; the verb transubstantiare is first found in Stephen, bishop of Autun, from 1113–1129, *Tract de sacramento altaris*, cap. 14 (Bibl. PP. Lugd. xx. 1879), where the words, *hoc est corpus meum* are explained: *panem, quem accepi, in corpus meum transubstantiavi.*

⁶ The author of the *Expositio can. Missae*, in *Majus l. c. vi. ii. 211*, declares himself undoubtedly to this effect; but one can see from his manner of speaking that the question was as yet by no means decided (see *Div. I, § 29, not. 18*). Anselm, archbishop of Canterbury, is the first to assert with certainty (*epist. lib. iv. ep. 107*), *in utrâque specie totum Christum sumi.*

⁷ Conc. Lateran. iv. ann. 1215, cap. I, in the confession of faith of the Synod: — *Una vero est fidelium universalis Ecclesia, extra quam nullus omnino salvatur. In qua idem ipse sacerdos et sacrificium Jesus Christus, cuius corpus et sanguis in sacramento altaris sub speciebus panis et vini veraciter continentur, transubstantiatis pane in corpus et vino in sanguinem potestate divina, ut ad perficiendum mysterium unitatis accipiamus ipsi de suo, quod accepit ipse de nostro. Et hoc utique sacramentum nemo potest confidere, nisi sacerdos, qui fuerit rite ordinatus secundum claves Ecclesiae, quas ipse concessit Apostolis et eorum successoribus Jesus Christus.* F. R. Meier's *Versuch einer Gesch. der Transubstantiationslehre*, Heilbronn, 1832. 8. S. 68 ff.

⁸ To this belongs especially the controversy on the method of the change. Petrus Lomb. lib. iv. dist. 11: *Quibusdam conversio esse videtur substantialis, dicentibus sic substantiam converti in substantiam, ut haec essentialiter fiat illa.* — *Quidam vero sic dicunt conversionem illam esse intelligendam, ut sub illis accidentibus, sub quibus erat prius substantia panis et vini, post consecrationem sit substantia corporis et sanguinis, sic tamen, ut non eis afficiatur, et sic asserunt dictum panem transire in corpus Christi: quia ubi erat panis, nunc est corpus Christi.* (On these two opinions Innocent III. also wrote, *de sacro altaris mysterio lib. iv. c. 20.*) *Quod si est, quid ergo fit de substantia panis et vini?* Illi dicunt, *vel in praejacentem materiam (s. pristinam materiam, namely, the four elements) resolvi, vel in nihilum redigi.* Alii vero putaverunt ibi substantiam panis et vini remanere, et ibidem corpus Christi esse et sanguinem: et hac ratione dici illam substantiam fieri istam, quia ubi est haec, est et illa, quod mirum est: et ipsam substantiam panis vel vini dicunt esse sacramentum. True, he rejects the last opinion: *post consecrationem non est ibi substantia panis vel vini, licet species remaneant;* but still Bonaventura, in *Sent. lib. iv. dist. 11, part 1, art. 1, qu. 2*, mentions and refutes the similar opinion, aliquorum modernorum, *quod non totus panis convertitur secundum substantiam, sed aliqua pars essentialis remanet;* and Thomas Summa, P. iii. qu. 75, art. 6, another, *quod facta consecratione non solum remanent accidentia panis, sed etiam forma substantialis ejus.* About 1266, a Parisian divine, in a letter to Clement IV. (in *Bulaeus*, iii. 373), defends himself against the charge, that during his stay in Rome he had said to a cardinal, *Parisius esse celebrem opinionem, corpus Christi non essentialiter et vere esse in altari, sed sicut signatum sub signo.* On the other hand, he recog-

ment caused many alterations in the celebration. In order to remove all danger of profanation, the communion of children was discontinued in the twelfth century.⁹ In the administration of

nizes the truth of the orthodox forms, substantialiter converti, etc. However, he discovers in the Lord's Supper, in distinction from the materialis caro Christi crucifixa et lanœeata, a caro Christi spiritualis, quae vere cibus est, quam carnem qui manducat, spiritualiter veritatem carnis et sanguinis Domini dicitur sumere, etc. About 1300, the Dominican Joannes Parisiensis wrote a determinatio de modo existendi corpus Christi in sacramento altaris alio, quam sit ille, quem tenet Ecclesia (ed. Petrus Allix. Lond. 1686. 8), in the beginning of which he thus declares himself: Intendo defendere veram existentiam et realem corporis Christi in sacramento altaris, et quod non est ibi solum sicut in signo. Et licet teneam et approbem illam solemnem opinionem, quod corpus Christi est in sacramento altaris per conversionem substantiae panis in corpus Christi, et quod ibi maneat accidentia sine subjecto; non tamen audeo dicere, quod hoc cadat sub fide: sed potest aliter salvari vera et realis existentia corporis Christi in sacramento altaris. Protestor tamen, quod si ostendatur dictum modum determinatum esse per sacram canonem, aut per Ecclesiam, aut per generale Concilium, aut per Papam, qui virtute continet totam Ecclesiam, quicquid dicam nolo haber pro dicto, et statim paratus sum revocare. Quod si non sit determinatum, contingat tamen ipsum determinari, statim paratus sum assentiri. He declares himself about that Modus in the following manner: Substantiam panis manere sub suis accidentibus in sacramento altaris, duplice potest intelligi: uno modo sic, quod substantia panis in sacramento altaris sub suis accidentibus maneat in proprio supposito; et istud est falsum, quia non esset communicatio idiomatum inter panem et corpus Christi, nec caro mea vere esset cibus. Alio modo, ut substantia panis maneat sub accidentibus suis, non in proprio supposito, sed tracta ad esse et suppositum Christi, ut sic sit unum suppositum in duabus naturis. Et sic est verum, substantiam panis manere sub suis accidentibus, etc. He mentions, p. 97, other divines in Paris who held the same opinion; among whom Guido de Cluvigny had even said, quod si esset Papa, quod confirmaret eam. However, William, bishop of Paris, deprived him of his professorship, and when he was on the point of appealing to the Pope on this account, he died at Bordeaux, in 1306. (Cf. Oudinus de scriptt. eccl. iii. 644. D'Argentré collectio judiciorum, i. 246.)—There were other questions in vogue touching the duration of the change. Robert Pulleyn met with no assent to his assertion, that only the bread, which was actually received in the Lord's Supper, was the Body of Christ (Cramer, vi. 514); but in the 12th century the opinion of Peter Lombard, lib. iv. dist. 13, was still generally received, quod a brutis animalibus corpus Christi non sumitur, etsi videatur. Cf. Innocentius III. de sacro altaris mysterio, lib. iv. c. 11: Si quaeritur, quid a mure comeditur, cum sacramentum correditur, vel quid incineratur, cum sacramentum crematur; respondeatur, quod sicut miraculose substantia panis convertitur, cum corpus dominicum incipit esse sub sacramento, sic quodam modo miraculoso revertitur, cum ipsum ibi desinit esse: non quod illa panis substantia revertitur, quae transivit in carnem, sed quod ejus loco aliiquid miraculose creatur: quamvis hujus accidentia sine subjecto possunt sic corredi, sicut edi. On the other hand, Alexander of Hales, lib. iv. qu. 45, membr. 1. art. 2, upheld the opposite opinion; and although Bonaventura, lib. iv. dist. 13, art. 2, qu. 1, says of it: Quantumunque haec opinio muniatur, nunquam tamen adeo munitur, quin aures piae hoc abhorreant audire, quod in ventre muris vel cloaca sit corpus Christi, etc., nevertheless Thomas Aquinas supports it (Summae, P. iii. qu. 80, art. 3), because the other opinion derogat veritati sacramenti. Thomas's influence decided the question, and that position of Lombard fell among the articuli, in quibus Magister non tenetur (see above, § 73, not. 31).

⁹ Augustine, and many of the ancient Church teachers, had deduced from John, vi. 54, the unconditional necessity of the Lord's Supper to salvation: this, however, is denied so early as by Lanfrancus in epist. ad Domnaldum, ann. 1081 (in Usserii vett. epist. hi-

the cup more anxious solicitude was shown to provide against spilling,¹⁰ and in the 12th century the custom began in different

bernic. sylloge, p. 73). Nevertheless, he still retains the communion of children. Men's minds were especially set at rest by the assurance of Fulgentius, bishop of Ruspe (epist. 12), *tunc unumquemque fidelium corporis sanguinisque dominici participem fieri, quando in baptismate membrum corporis Christi efficitur, nec alienari ab eo panis calicisque consortio, etiamsi antequam panem illum comedat et calicem bibat, de hoc saeculo in unitate corporis Christi constitutus abscedat*; and the rather so, because this passage was commonly believed to be Augustine's (e. g. it is quoted as his by Hugo a S. Victore de sacramentis et caeremoniis eccles. lib. i. cap. 20, and Gratian Decr. P. iii. dist. 4, c. 131). Hugo a S. Victore l. c. speaks of the transition from the ancient practice, ignorantia presbyterorum adhuc formam retinens sed non rem, dat pueris loco sanguinis vinum, quod penitus supervacuum arbitrarer, si sine scandalo simplicium dimitti posset. Si autem in reservando sanguinem Christi, vel in ministrando pueris immineat periculum, potius superseedendum videtur. Odo, bishop of Paris after 1196, in his synodical constitutionibus (Pracepta communia, c. 39, in Mansi xxii. 683), forbade his priests, ne hostias licet non sacras dent pueris ullo modo. Afterward, the Concil. Burdegal. ann. 1255, c. 5, and Bajocense, ann. 1300, c. 16, prohibited the communicating of children: nevertheless, in some solitary places the custom still prevailed down to the beginning of the 15th century. P. Zornii hist. eucharistiae infantium. Berol. 1736. 8. In the 12th century the solemn seasons for baptism were discontinued, apparently in connection with the communion of children. See Launoji opp. T. ii. P. ii. p. 730.

¹⁰ This was all the more likely to happen, since, according to Gregory II.'s epist. 14, ad Bonifacium, congruum non est, duos vel tres calices in altario ponere, cum Missarum solemnia celebrantur, the single chalice was necessarily so large and heavy (cf. Lith de adoratione panis consecrati, p. 244. F. Brenner's geschichtl. Darstellung d. Verrichtung und Ausspendung der Eucharisticie, Bamberg, 1824, S. 379). Thence, as early as the end of the 8th century, arose the use of the fistula or calamus, arundo, canna, s. Joh. Vogt hist. fistulæ eucharisticae. Bremae, 1740. 4 (also in Germaniae literatae opusc. ed. Jo. Oelrichs, Bremae, 1772, p. 185, besides a spicilegium editoris, p. 325).—After the end of the 11th century, the custom of administering the bread dipped in the wine, which had already been usual in the communion of children and the sick (cf. Zornii hist. eucharistiae infantium), began to be more general. This custom, however, according to the precedent of Conc. Braccarensis, ann. 675, can. 2 (which canon in Deqr. Grat. P. iii. dist. 2, can. 7, is incorrectly attributed to Pope Julius), was forbidden by Urban II. (Conc. Claromontan. ann. 1095, c. 28), especially by Paschal II. Epist. 32, ad Pontium Cluniacens. Abbatem ann. 1110 (Mansi xx. 1013): *Scribens ad Caeclium b. Cyprianus ait: Quando aliquid Deo inspirante et mandante praecepitur, necesse est Domino servus fidelis obtemperet, excusatus apud omnes, quod nihil sibi arroganter assumat, ne aliud fiat a nobis, quam quod pro nobis Dominus prior fecit.* Igitur in sumendo corpore et sanguine Domini, juxta eundem Cyprianum, dominica traditio servetur, nec ab eo, quod Christus magister et praecepit et gessit, humana et novella institutione discedatur. Novimus enim per se panem, per se vinum ab ipso Domino traditum. Quem morem sic semper in sancta Ecclesia conservandum docemus atque praecepimus, praeter in parvulis ac omnino infirmis, qui panem absorbere non possunt: quibus satis communicari in sanguine. Ernulphus Episc. Roffensis (of Rochester) showed himself of another opinion in epist ii. ad Lambertum in 1120 (d'Achery spicileg. iii. 470). Lambert had asked him: *eur hodierna Ecclesiae consuetudo alio et paene contrario ritu censeat porrigi corpus dominicum, quam a Domino in coena discipulis suis fuerit distributum?* Id enim quotidianus Ecclesiae practendit usus, ut tribuatur hostia sanguine intincta, cum a Domino prius corpus, deinde sanguis porrectus fuisse memoretur. Ernulphus first vindicates the right of the Church to make such alterations: *Haec eis, cum quibus conversari dignatus est (Redemptor noster), verbo vel exemplo insinuavit, quae facienda erant docens, certum quo facienda erant modum praefigere omittens.*—*Qua in re insinuasse videtur, quae praecepta sunt non fieri non licere; pro ratione vero necessitatibus*

places of withholding it altogether from the laity.¹¹ However,

vel honestatis alio et alio modo fieri licere. Then concerning the grounds for the alteration mentioned in the question, he says, Nos carnem Domini intingimus in sanguine Domini, ne accipientes sive porrigentes peccemus, non habita forte competenti cautela in labiis et manibus nostris. Evenit enim frequenter, ut barbati et prolixos habentes granos, dum poculum inter epulas sumunt, prius liquore pilos inficiant quam ori liquorem infundant. Si si accesserint ad altare liquorem sanctum bibituri, quomodo periculum devitare poterunt inter accipendum, quomodo uteque, accipiens videlicet et porrigens, effugient grande peccatum? Practerea si imberbes et sine granis, aut mulieres ad sumendam communionem sanctam convenient, quis sacerdotum poterit tam provide ministrare,—ut nihil effundat? etc. Lastly, he states that the decree of Pope Julius (for thus he styles the Canon Braccar. even in his time) was invalid. Accordingly, that custom was maintained in England until the Conc. Lond. ann. 1175, c. 16, prohibited it.

¹¹ Learned Catholics, as Bona rerum liturgicarum lib. ii. c. 18, Mabillon comment. in Ordinem Romanum before his Musei Italici T. ii. p. lxi. and others, concede this entirely. Compare especially J. G. de Lith de adoratione panis consecrati et interdictione sacri calicis in Eucharistia, ed. J. C. de Lith. Suobaci 1753. 8. p. 158 ss. Spittler's Gesch. des Kelchs im Abendmahle, Lemgo, 1780. 8.—The causes of withholding the cup are clear from note 10: to this also contributed the fact that since Anselm's time the position was generally received, in utraque specie totum Christum sumi (see above, note 6), so that the schoolmen were embarrassed to give a reason why both elements should be received. Cf. Guillelmus de Campellis (ex Ms. in Mabillonii Act. SS. Ord. Bened. saec. iii. P. i. praef. no. 75): Quod utraque species per se accipitur, eo fit, ut memoria corporis, quod in cruce visibiliter perpendit, et memoria sanguinis, qui cum aqua de latere fluxit, arcuus teneatur, et quasi praesentetur. Tamen sciendum, quod qui alteram speciem accipit, totum Christum accipit.—Quod ergo dicitur, utramque speciem oportere accipi, haeresis plane est.—Et ideo licet in alterutra specie totus sumatur, tamen pro causa predicta sacramentum utriusque speciei ab Ecclesia immutabiliter retinetur. From this age, however, the first voice moved for the refusal of the cup, that of Rudolph Abb. s. Trudonis (St. Tronc, in the territory of Liege) ex Ms. in Bona rer. liturg. lib. ii. c. 18:

Hic et ibi cautela fiat, ne presbyter aegris
Aut sanis tribuat laicus de sanguine Christi:
Nam fundi posset leviter, simplexque putaret,
Quod non sub specie sit totus Jesus utraque.

Then Robert Pulleyne, about 1140. Sentent. P. viii. c. 3: Primo corpus, post sanguis a presbyteris est sumendus: institutio Christi mutanda non est.—Verum qualiter a laicis eucharistia sumi deberet, sponsae suae commisit Judicio: cuius consilio et usu pulcre fit, ut caro Christi tantum laicis distribuatur. Nimirum periculose fieret, ut sanguis sub liquida specie multitudini fidelium in Ecclesia divideretur: longe periculosius, si confirmatis per parochiam deferretur. These, however, are the only traces of withholding the cup in the 12th century; for all other writers of this age, Ivo, Rupert, Bernard, Hugo de St. Victor, Peter Lombard (Sent. lib. iv. dist. 11: Quare subduplici specie sumitur, cum sub alterutra totus sit Christus? Ut ostenderetur totam humanam naturam assumpsisse, ut totam redimeret. Panis enim ad carnem referatur, vinum ad animam, quia vinum operatur sanguinem, in quo sedes animae a physicis esse dicitur.—Si in altera [specie] tantum sumeretur, ad alterius tantum, i. e. animae vel corporis, non utriusque pariter, tuitionem valere significaretur. Sub utraque specie tamen totus sumitur Christus: nec plus sub utraque, nec minus sub altera tantum sumitur), Peter of Blois, etc., all speak of receiving in both kinds, and represent this mode as universal, see de Lith. l. c. p. 212 ss. Gratian (P. iii. de consecratione, dist. 2, c. 12) adopts this passage from Pope Gelasius: Comperimus autem, quod quidam, sumpta tantummodo corporis sacri portione, a calice sacri cruxis abstineant. Qui proculdubio (qnoniam nescio qua superstitione docentur obstringi) aut integra sacramenta percipient, aut ab integris arecantur; quia divisio unius ejusdem mysterii sine grandi sacrilegio non potest provenire; and even a Synod in Pulleyne's own country, in

this withholding of the cup, although it was much extended, especially after the time of Thomas and Bonaventura,¹² was not yet,

the year 1220, Syn. Dunelmensis (Wilkins, Conc. Magnae Brit. i. 548), says: Instruere insuper debetis laicos, quoties communicant, quod de veritate corporis et sanguinis Christi nullo modo dubitent. Nam hoc accipiunt procul dubio sub panis specie, quod pro nobis peperit in cruce: hoc accipiunt in calice, quod effusum est de Christi latere. At the same time, however, an Englishman (Alexander Halesius, in Sent. lib. iv. qu. 53, membr. 1) bears witness to the existence of the opposite practice, and throws remarkable light on the state of the question: Utrum liceat sumere corpus Christi sub specie panis tantum sine sumptione sub specie vini? Cum Dominus Jesus in tota integritate sua contineatur sub utraque specie, scil. panis et vini, videtur quod sufficiat illum sumere sub una specie: ut enim supra dictum est, corpus et sanguis, anima et divinitas in Christo inseparabiliter unita sunt.—Contra de consecr. dist. ii. Comperimus (see the passage just quoted from Gratian) sic sumentes judicantur rei peccati sacrilegi.—Item Dominus in institutione hujus sacramenti dispensavit corpus suum sub specie panis et vini, ex quo videtur,—quod hoc debeat fieri sub duabus speciebus. Item corpus Christi non est sacramentaliter sub specie vini, neque sanguis ejus sub specie panis: ad hoc ergo, quod sacramentaliter sumatur Christus, necesse est quod sumatur sub duabus speciebus, cum non contineatur sacramentaliter sub una. Item potest quaeri, si hoc sacramentum habeat eandem efficaciam sumptum sub una specie et sub duabus. *Responsio:* Dicendum, quod quia Christus integre sumitur sub utraque specie, bene licet sumere corpus Christi sub specie panis tantum, *sicut fere ubique fit a laicis in Ecclesia.* Quod autem dicit canon ibi *Comperimus*, etc., intelligitur de conficiente. Ecclesia autem istud sacramentum dispensare consuevit sub specie panis tantum, tum propter periculum effusionis, quod forte accideret, si sub specie vini dispensaretur, tum propter vitii infidelitatis amotionem, quod se non immerito simplicium mentibus ingereret, si semper sub speciebus panis et vini daretur: quia, si ita fieret, possent simpliciores credere, quod Christus non contineretur integre sub altera specie, sicut contingit quandoque. Unde aliquibus religiosis petentibus et instantibus, ut sub utraque specie sumerent sacramentum, sacerdote quodam pio cantante, cum faceret fractionem, concavum patenae totum visum est repleri sanguine, ad quod obstupuerunt ipse et circumstantes: sed cum conjungeret partes hostiae, totum visum est reintrare, et petitioni et temptationi illorum penitus fuit satisfactum. Ad illud, quod objicitur de dispensatione Domini, dicendum, quod Dominus insinuavit modum, quo debuit a confientibus sumi.—Praeterea *licet illa sumptio, quae est in accipiendo sub una specie, sufficiat: illa tamen, quae est sub duabus, est majoris meriti*, tum ratione augmentationis devotionis, cum ratione fidei dilatationis actualis, tum ratione sumptionis completioris. Ex his patet *responsio ad quaesita, quia sumptio sub utraque specie, quem modum sumendi tradidit Dominus, est majoris efficacie et complementi, Ecclesia tamen utitur alio modo propter causas praetactas.* Still, that the refusal of the cup could only have been the custom at that time in some few solitary churches, is plain from Albertus Magnus, cf. de Lith, p. 226 ss., especially from his lib. de corpore Christi et sacramento altaris (de Lith, p. 228–231 ex cod. Heilbronn). He raises here the objection: Quidam faciunt quaestionem: quia enim Christus totus cum sanguine et anima et spiritu et deitate habetur sub specie istius cibi, quae est panis, videri potest alicui, quod nihil operationis in sacramento habet potus in specie vini. In answer he shows the necessity of the latter. Compare especially the conclusion: Quod ergo elicitor, quod alterum videtur esse superfluum, cum sanguis habeatur in corpore et corpus in sanguine, dicendum, quod hoc non est verum. Verum quidem est, quod sanguis habetur in corpore, sed non ex virtute sacramentali, sed ex unione naturali.—Et ideo oportuit, ut esset ibi confectio ex elemento potus, sicut fuit ex elemento cibi, quia aliter sacramentum in virtute et ratione sacramentali esset imperfectum.

¹² The principal argument against withholding the cup from the laity was this, that the blood of Christ could not be sacramentaliter, but only ex unione naturali sub specie panis; and therefore the celebration of the Lord's Supper in one kind must be imperfecta, and minoris efficacie (see Alex. Hales. and Albertus M. note 11). First Thomas (who,

for Albert's *unio naturalis*, coined the expression *concomitantia realis*, or *naturalis*), and still more Bonaventura, endeavored to meet this argument. Thomeae Summa P. iii. qu. 76, art. 1: *Omnino necesse est confiteri secundum fidem catholicam, quod totus Christus (viz., divinitas, anima et corpus) sit in hoc sacramento. Sciendum tamen, quod aliquid Christi est in hoc sacramento dupliciter: uno modo quasi ex vi sacramenti, alio modo ex naturali concomitantia. Ex vi quidem sacramenti est sub speciebus hujus sacramenti id, in quod directe convertitur substantia panis et vini praecexistens, prout significatur per verba formae, quae sunt effectiva in hoc sacramento:—ex naturali autem concomitantia est in hoc sacramento illud, quod realiter est conjunctum ei, in quod praedicta conversio terminatur. Si enim aliqua duo sunt realiter conjuncta, ubicumque est unum realiter, oportet et aliud esse. Art. 2: Sub utraque specie sacramenti totus est Christus, aliter tamen et alter. Nam sub speciebus panis est quidem corpus Christi ex vi sacramenti, sanguis autem ex reali concomitantia, sicut supra dictum est de anima et divinitate Christi. Sub speciebus vero vini est quidem sanguis Christi ex vi sacramenti: corpus autem Christi ex reali concomitantia, etc.* Qu. 80, art. 12, with regard to the question: *Utrum liceat sumere corpus Christi sine sanguine?* he first unfolds the reasons why it is not, and then proceeds: *Sed contra est multarum Ecclesiarum usus, in quibus populo communicanti datur corpus Christi sumendum, non autem sanguis. Respondeo, dicendum, quod circa usum hujus sacramenti duo possunt considerari. Unum ex parte ipsius sacramenti, aliud ex parte sumentium. Ex parte quidem ipsius sacramenti convenient, quod utrumque sumatur, scilicet et corpus et sanguis: quia in utroque consistit perfectio sacramenti. Et ideo quia ad sacerdotem pertinet hoc sacramentum consecrare et perficere, nullo modo debet corpus Christi sumere sine sanguine. Ex parte autem sumentium requiritur summa reverentia et cautela, ne aliquid accidat, quod vergat ad injuriam tanti mysterii. Quod praecipue posset accidere in sanguinis sumptione: qui quidem si incaute sumeretur, de facili posset effundi. Et quia crevit multitudo populi christiani, in qua continentur senes et juvenes et parvuli, quorum quidam non sunt tantae discretionis, ut cautelam debitam circa usum hujus sacramenti adhibeant: ideo provide in quibusdam Ecclesiis observatur, ut populo sanguis sumendum non detur, sed solum a sacerdote sumatur.* Against the objection that this must be a sacramentum imperfectum, dicendum, quod perfectio hujus sacramenti non est in usu fidelium, sed in consecratione materiae. *Et ideo nihil derogat perfectioni hujus sacramenti, si populus sumat corpus sine sanguine, dummodo sacerdos consecratus sumat utrumque.* Bonaventura on this point, in Sent. lib. iv. dist. 11, P. 2, art. 1, qu. 2, treats the question more at length: An utraque species sit de integritate sacramenti? His decision is: *Dicendum, quod in sacramento duo sunt, scilicet efficacia et signantia. Esse igitur de integritate sacramenti dupliciter est: aut quantum ad efficaciam; et sic neutra species est de integritate, sed quaelibet est totum, quod habet efficaciam: aut quantum ad signationem vel significationem; et sic sunt de integritate, quia in neutra per se exprimitur res hujus sacramenti, sed in utraque simul.* —*Ideo fideles recipiunt perfectum sacramentum sub una specie, quia ad efficaciam recipiunt. Sed quantum ad signantiam, sufficit quod Ecclesia facit in eorum praesentia, nec oportet, quod ipsi recipient, propter periculum effusionis, et propter periculum erroris, quia non crederent simplices in altera specie totum Christum recipere.* After this period the Dominicans and Franciscans were both for communion in one kind; but in Thomas's own time, in 1261, a Capitulum generale Cisterciensium passed the decree (in Martene thes. anecd. iv. 1418): *Cum ex participatione sanguinis Domini—pericula inde veniant gravia,—ordinat Capitulum generale, quod monachi, conversi, moniales Ordinis, exceptis ministris altaris, ad calicem more solito non accedant.* In order to accustom the laity to being deprived of the cup, the same artifice was employed as in the suppression of the communion of children (see above, note 9): unconsecrated wine was administered in the place of consecrated, see Conc. Lambethense ann. 1281, cap. 1. (Mansi, xxiv. 406, more correctly in Lindwood's provinc. Anglican. p. 9): *Doceant [sacerdotes] etiam eosdem [simplices], quod id quod eisdem in calice propinatur non est sacramentum, sed vinum purum eis hauriendum traditum, ut faciliter sacrum corpus glutiant, quod ceperunt.* Solis enim celebrantibus sanguinem sub specie vini consecrati sumere in hujusmodi minoribus Ecclesiis est concessum. Then

in this period of time, a universal custom in the Church.¹³ Further, it was the practice in the 13th century to adore the presence of Christ in the consecrated elements;¹⁴ and Urban IV. even ap-

also the miracle of the blood lately introduced, of which Alexander of Hales gives the earliest instance (note 11), and which now grew more common, as well as the visible appearance of the flesh, contributed to this effect: de Lith, p. 520 ss. There were the following instances of this in the Marquisate of Brandenburg alone; in Zehdenick 1249 (Spieker's Kirchen und Reformationsgeschichte der Mark Brandenburg, i. 271), soon after in Belitz (s. 273), and in 1287 at Pritzwalk (s. 393).

¹³ Synodus Exoniensis, ann. 1287, c. 4, in fine: [Laici] priusquam communicent, instruantur per sacerdotes, quod illud accipiunt sub panis specie, quod pro illorum salute pependit in cruce: hoc suscipiunt in calice, quod effusum de corpore Christi. Guilelmus Durantis in Rationale divinor. offic. lib. iv. c. 54, § 12: solum hostiam recipiens non plenum sacramentaliter recipit sacramentum. Etsi enim in hostia consecrata Christi sanguis sit, non tamen est ibi sacramentaliter, eo quod panis corpus et non sanguinem, et vinum sanguinem significat et non corpus. The same man mentions an intermediate custom, lib. iv. c. 42, § 1: In quibusdam locis post sumptionem corporis et sanguinis Christi aliquid de ipso sanguine reservatur in calice, et superinfunditur vinum purum, ut ipsi communicantes inde sumant: non enim esset decens tantum sanguinem confidere, nec calix capax inveniretur. This practice seems to have risen in Rome, see Ordo Romanus in Mabill. mus. Ital. ii. 14, and Comment. in Ord. Rom. ibid. p. lvii. ss. De Lith, p. 246 s. It is astonishing, too, to see with what difficulty the new custom found entrance into many monasteries. Notwithstanding that statute of the general chapter of the Cistercians (note 12), Artxanrus comm. in Sent. iv. tit. 17, qu. 3, reports about the year 1330 (Spittler, s. 37): Cistercienses et quidam alii post sumptionem corporis et sanguinis dimittunt ibi aliquid de sanguine, ut infundatur vinum purum, et postea communicantes aliquid inde possint sumere, just as was prescribed in the old Usus Cistercienses, cap. 53 (Mabillon comm. in Ord. Rom. p. lvii.), and even in the 16th century, Cardinal Cajetan says, quod in Ordine Cisterciensi alicubi communio fieri legitur sub utraque specie (Manrique annal. Cisterc. i. 53). Thus also, in the great monasteries of Monte Cassino, Cluny, and St. Denys, communion in both kinds was allowed for the administrators at least (Mabillon. l. c. p. lxiii., see Spittler, s. 56). How long the custom was maintained elsewhere also, see de Lith, p. 257 ss.

¹⁴ The *Ritus elevationis* was in use in the Greek Church as early as the end of the 17th century, in the Latin since the 11th, but only as a symbol of the exaltation of Christ (Bona rer. liturg. lib. ii. c. 13, § 2. Dallaeus de cultibus religiosis Latinorum, libb. iii. c. 20-22. Matth. Larrogue histoire de l'Eucharistie. Amsterd. 1669. P. i. c. 9). On the introduction of the *adoration*, see Caesarius Heisterbacensis (about 1225) de miraculis et visionibus sui temporis dialog. lib. ix. c. 51: Tempore schismatis inter Philippum et Othonem dominus Wido Cardinalis, aliquando Abbas Cisterciensis, cum missus fuisse Coloniam (ann. 1203) ad confirmandam electionem Othonis, bonam illic consuetudinem instituit: praecepit enim, ut ad elevationem Hostiae omnis populus in Ecclesia ad sonitum nolae veniam peteret, sicque usque ad calicis benedictionem prostratus jaceret. Pracepit etiam idem Cardinalis, ut quoties deferendum esset ad infirmum, scholaris sive campanarius sacerdotem praecedens per nolam illud proderet: sicque omnis populus tam in stratis quam in domibus Christum adoraret. To encourage people to do so, he relates how, miles quidam in Franciâ, who had met the sacrament, de equo prosiliens in lutum se misit, in quo flexis genibus, elevatis manibus Christi corpus adoravit; and how it was granted him in reward, ut totius luti nec una quidem guttula vestimentis ejus adhaeret, etc. (This cardinal brought with him into Germany many anecdotes of like import besides this. See Alberici chron. ad ann. 1200, p. 419 s.). Honorius III. decreed in 1217 (Decr. Greg. lib. iii. tit. xli. c. 10). Sacerdos vero quilibet frequenter doceat plebem suam, ut, cum in celebratione Missarum elevatur hostia salutaris, quilibet se reverenter inclinet,

pointed, in the year 1264, that a festival which had risen up in the diocese of Liege,¹⁵ dedicated solely to the honor of the consecrated host (the festum corporis Domini), should be observed by the whole Church.¹⁶ After the death of this Pope the new festival was dis-

idem faciens, cum eam desert presbyter ad infirmum. The old law of the Church, which even Alexander III. had confirmed (Decr. Greg. lib. ii. tit. ix. c. 2) : diebus dominicis et alius praeceps festivitatibus, sive inter Pascha et Pentecosten, genuum flexio nequaquam debet fieri, nisi aliquis ex devotione id velit facere in secreto : in obedience to which the adoration was rendered on these days, a stantibus capite. inclinato (de Lith, p. 39 ss.), Gregory X. was the first to abrogate in his Caeremoniale Romanum (in Mabill. museum Ital. ii. 235), at least in part, by the alteration that, in Quadragesima usque ad Pascha, et ab octava Pentecostes usque ad Natale, et ab octava Epiphaniae usque ad Quadragesimam *in diebus ferialibus*, at certain prayers men were to kneel. In elevatione vero corporis Christi, cum antea parum debeat surgere, prosternant se ad terram, et adorent reverenter in facies cadendo : et sic prostrati stent usque ad *Per omnia*, ante *Agnus Dei*, et dant pacem, et iterum se prosternunt, et stant sic prostrati, quoique sacerdos corpus et sanguinem sumat.

¹⁵ According to common opinion, Robert, bishop of Liege, instituted this festival in the year 1246, for his diocese, in consequence of the revelation, which first Julianæ, Priorissa montis Cornelii at Liege, afterward also her friends Eva, virgo reclusa s. Martini, and Isabella, a nun at St. Cornelius, received. This can not, however, be so ; for the Cistercian Aegidius, a contemporary (he closes his history with the year 1251), in his *Gesta pontificum Leodiensium* (in Chapeavilli gestorum Pontiff. Leod. scriptores, tom. ii.), speaks not a syllable of this festival, though elsewhere he is ashamed of no miracle, and in c. 134, p. 266, even mentions the increased estimation of the celebration of the festival of Lambert, brought about by Robert. The first historian of Liege who speaks of it, Johannes Hocsemius (canon at Liege about 1348) in his *gesta Pontiff. Leodiens. cap. 6* (in Chapeaville, ii. 293), says only as follows : Anno vero Domini 1259 (vel forte 1260 cum tunc secundum quosdam Urbanus præcessere coepit) Henricus Episcopus, instinctu ejusdam Reclusæ juxta Ecclesiam s. Fidis, cui de sacramento fuit ostensa visio, Urbano Papæ quarto (cui nihil minus haec nota fuerat, cum dudum fuisse Canonicus Leodiensis, viz. down to 1255, Raynald, ad h. a. no. 65) super hoc suas literas destinavit, quibus inductus Papa hoc festum instituit celebrari, *quod ex tunc a Leodiensibus est receptum*, et postmodum continue per plures Ecclesiæ in Germania et Francia a Clero et populo celebratum, sed demum per alias universaliter recipitur Ecclesiæ, cum Johannes Papa XXII. constitutionem Urbani super hoc factam, quæ incipit *Transitus de hoc mundo ad Patrem* (quam Clemens Papa V. observari districte præcepérat ab omnibus in Concilio Viennensi), fecisset cum caeteris Clementinis constitutionibus celebrari. The following historians of Liege, Johannes Ultramosanus and Joannes Warnantius, had no further knowledge of the matter : not till 1496 did Johannes Blerus Diesthemius, prior of the Benedictine monastery of St. James in Liege, write his *Historia revelationis b. Julianæ*, anno 1230 divinitus factæ de institutione festi corporis Christi (printed in Bzovii annal. eccl. ann. 1230, no. 16), where all is new, even the name Julianæ. For this reason, Onuphrius Panvinius († 1558) is fully justified in declaring all these revelations to be fables (Chapeaville, ii. 658). Afterward, indeed, a vita b. Julianæ, written professedly by a contemporary author, was brought to light, it is given in abstract by Chapeaville, ii. 641, entire in the *Acta SS. April. i. 443 ad d. 5. April.*, however, it does not contribute much to the illustration of the subject.

¹⁶ The Bull, in the *Magnum Bullarium Rom.* i. 446, is also quoted entire in Clement's Bull of Confirmation, *Clementin.* lib. iii. tit. 16 (some various readings from a manuscript at Basle may be seen in J. Zwingeri tract. de festo corporis Christi, Basil. 1685. p. 17). There we find : *Licet igitur hoc memoriale sacramentum in quotidianis Missarum solemnibus frequentetur, conveniens tamen arbitramur et dignum, ut de ipso semel saltem in*

continued; but afterward, in the year 1311, it was established forever in the Church by Clement V.¹⁷

Since, down to this time, the conception of a sacrament had been very fluctuating,¹⁸ a more positive definition of the word, and the enumeration of seven sacraments, was introduced by Hugo de St. Victor,¹⁹ and ratified by Peter Lombard, and generally estab-

anno, ad confundendam specialiter haereticorum perfidiam et insaniam, memoria solem-nior et celebrior habeatur. In die namque coenae Domini, quo die ipse Christus hoc in-stituit sacramentum, universalis Ecclesia pro poenitentium reconciliatione, sacri con-fec-tione chrismatis, adimpleteione mandati circa lotionem pedum, et aliis quamplurimum oc-cupata, plene vacare non potest celebrationi hujus maximi sacramenti.—Potissime igitur exequendum est ergo hoc vivificum sacramentum corporis et sanguinis Jesu Christi,—ut festivitate ac celebritate p[re]aefulgeat speciali, quatenus in eo, quod in aliis Missarum offi-ciis circa solemnitatem est forsan praetermissum, devota diligentia suppleatur, et fideles festivitate ipsa instantे, intra se praeterita memorantes, id quod in ipsis Missarum sole-mniis, saecularibus forsan agendis impliciti, aut alias ex negligenter vel fragilitate humana minus plene gesserunt, tunc attente in humilitate spiritus et animi puritate restaurent. Intelleximus autem olim dum in minori essemus officio constituti, quod fuerat quibusdam Catholicis divinitus revelatum, festum hujusmodi generaliter in Ecclesia celebrandum.

¹⁷ Clementin. libb. iii. tit. 16, cap. unic.

¹⁸ The word sacramentum, in the sense of sacramum signum, was used of very many ecclesiastical ordinances. Thus Augustine (*de peccato orig.* c. 40) calls exorcism, and the salt which was held out to the catechumens, sacramentum (*de peccatorum mer. et remiss.* ii. c. 26). Afterward the word was used in a narrower sense, as in the passage of Isidorus Hispal. *Origines* lib. vi. c. 19, which was repeated word for word by Rabanus Maurus *de institut. cleric.* i. c. 24 (in Hittorp. *de Eccl. cath. off.* p. 320), and Ratramnus *de Eucharistia*: *Sunt autem sacramenta baptismus et chrisma, corpus et sanguis, quae ob id sacramenta dicuntur, quia sub tegumento corporalium rerum virtus divina secretius salutem eorundem sacramentorum operatur: unde et a secretis virtutibus vel sacris sa-cramenta dicuntur.* Thus, also, Paschasius Radbertus *de coena Domini*, c. 3: *Sunt au-tem sacramenta Christi in Ecclesia baptismus, corpus quoque Domini et sanguis.* Comp. Ph. Marheinecke's *christl. Symbolik*, iii. 101. Even in Lombard's century many differ-ent views on the sacraments were brought forward. Godefridus Abb. *Vindocinensis* († after 1129) *de ordinatione Episcoporum* (Bibl. PP. Lugd. xxi. 60): *Annulus autem et virga, quando ab illis dantur, a quibus dari debent, sacramenta Ecclesiae sunt, sicut sal et aqua, oleum et chrisma, et quaedam alia, sine quibus hominum et Ecclesiarum consecra-tiones fieri non possunt.* Afterward he specifies baptismum, confirmationem, infirmorum unctionem, corporis et sanguinis Domini perceptionem, as the most important sacraments (*Opusc. viii. l. c. p. 64*). Bernard, of the same date with Lombard, designates washing feet as a sacrament (*Sermo in coen. Dom. § 4, opp. ii. 176*: *ut de remissione quotidianorum [peccatorum] minime dubitemus, habemus ejus sacramentum, pedum ablutionem.* Quae-ris forte, unde sciām, quod sacramentum sit hujus remissionis?—*Illud attende quod Pe-trō dictum est [Jo. 13, 9]: si non lavero te, non habebis partem mecum.* Aliquid igitur latet quod necessarium est ad salutem, quando sine eo nec ipse Petrus partem haberet in regno Christi et Dei). Gratian had not in his day accepted seven as the number of the sacra-ments; he calls, however, six of them sacramenta, and is only silent on the unction infir-morum.

¹⁹ In his work *de Sacramentis* he gives quite a different enumeration. He there de-fines the conception of a sacrament in the following manner, lib. i. P. ix. c. 2: *Sacra-men-tum est corporale vel materiale elementum foris sensibiliter propositum ex similitu-dine repraesentans, et ex institutione significans, et ex sanctificatione continens aliquam in-visibilem et spiritalem gratiam.* Afterward, in cap. 7, he lays down three kinds of sac-ramentum.

lished;²⁰ although at first a significant distinction was recognized

raments. Sunt enia quaedam saeramenta, in quibus principaliter salus constat et percipitur: sicut aqua baptismatis, et perceptio corporis et sanguinis Christi. Alia sunt, quae etsi necessaria non sunt ad salutem (quia sine his salus haberri potest), proficiunt tamen ad sanctificationem, quia his virtus exerceri et gratia amplior acquiri potest: ut aqua aspersionis, et susceptio cineris et similia. Sunt rursum alia sacramenta, quae ad hoc solum instituta esse videntur, ut per ipsa ea, quae caeteris sacramentis sanctificandis et instituendis necessaria sunt, quodammodo praeparentur et sanctificantur: vel circa personas in sacris Ordinibus perficiendis, vel in iis, quae ad habitum sacerorum Ordinum pertinent, initiandis et caeteris hujusmodi. Prima ergo ad salutem, secunda ad exercitacionem, tertia ad praeparationem constituta sunt. Accordingly, he first treats of the third class, vid. lib. ii. P. iii. and iv. de Ordinibus, P. v. de sacramento dedicationis Ecclesiae; next of the first, P. vi. de baptismo, P. vii. de confirmatione, P. viii. de sacramento corporis et sanguinis Christi; and then proceeds, P. ix. to the second class, the lesser sacraments, of which he says in general, cap. 1: Ex his sacramentis alia constant *in rebus*, qualia sunt aqua aspersionis, susceptio cineris, benedictio ramorum et cereorum et caetera talia: alia autem constant *in factis*, qualia sunt signaculum crucis, exsuffratio exorcizationis, expansio manuum, incurvatio genuum et alia hujusmodi: alia *in dictis* constant, sicut trinitatis invocatio, et quaeunque in hunc modum. Then, after he had treated of simony in P. x. he returns again, without specifying the class to which they belong, P. xi. to the sacramentum conjugii, P. xiv. to confessio et poenitentia et remissio peccatorum, which last, however, he nowhere calls a sacrament, and P. xv. to the sacramentum unctionis infirmorum. Compare Liebnér's Hugo v. St. Victor, S. 423. Not so in his Summa Sententiarum. There we find tract. iii. c. 16: Contra illa septem vitia sunt virtutes, quas pariunt septem dona Spiritus sancti. Tract. iv. c. 1: Contra peccata tam originalia quam actualia, de quibus diximus, inventa sunt sacramentorum remedia. Thus it appears that the number of the sacraments is stated as seven: however, in the following treatise only six are brought forward, to wit, tract. v. baptismus, tract. vi. sacramenta confirmationis, altaris, poenitentiae, unctionis extremae, tract. vii. sacr. conjugii. The sacramentum ordinis is left out. The work de ceremoniis, sacramentis, officiis et observationibus ecclesiasticis, that has been published in Hugo's name, in which i. 12, the seven sacraments were enumerated, according to the decision of Lombard, as septem principalia sacramenta, was not composed by Hugo, but by Robertus Paululus, presbyter Amianensis.

²⁰ According to the vita s. Ottonis in Canisii lectt. ant. T. iii. P. ii. p. 61 ss., as early as the year 1124, Otto did, indeed, preach the seven sacraments to the Pomeranians: however, that life was written between 1139 and 1189, and the speeches can hardly be verbally correct. Peter Lombard, Sent. lib. iv. dist. 1-42, treats of the sacraments, and there he follows for the most part word for word the Summa of Hugo de St. Victor, only he introduces *orders* as the seventh sacrament. Definition dist. i.: Sacramentum proprie dicitur, quod ita signum est gratiae Dei, et invisibilis gratiae forma, ut ipsius imaginem gerat et causa existat. Dist. ii.: Sacmenta novae legis sunt baptismus, confirmatio, panis benedictio, i. e. eucharistia, poenitentia, unctionis extrema, ordo, conjugium. Quorum alia remedium contra peccatum praebent, et gratiam adjutricem conferunt, ut baptismus: *alia in remedium tantum sunt, ut conjugium: alia gratia et virtute nos fulcunt, ut Eucharistia et Ordo.*—Of the sacrament of extreme unction, it was frequently asserted in the 12th century that it could be received but once: Ivo Carnot ep. 255: Unctionem, quam semel accepisti, non aestimo repetendam: quia secundum institutum apostolicae sedis genus est sacramenti. Qui autem sacramenta Christi et Ecclesiae repetit, injuriam ipsis sacramentis ingerit. Godefredi Vindocinensis ep. ad Ivonem in Ivonis opp. ed. Paris. 1647, ii. 204, and ejusdem opuse. ix.: Inunctio infirmorum magnum sacramentum est, et ideo nulla est ratione iterandum. Nevertheless, Hugo de S. Victore de sacram. lib. ii. P. xv. c. 3, and Summa Sent. tract. vi. c. 15, controverts this view, and Peter Lombard lib. iv. dist. 23, follows him. The latter refers the position of Augustine, sacramentum non ite-

among them, with regard to their institution as well as their importance.²¹ Thomas Aquinas brought the sacramental system of the Church to its consummation.²²

randum, only to the sacraments of baptism, confirmation, and ordination. Quidam autem de omni sacramento intelligi volunt, quod non sit iterandum, scil. secundum totum illud quod pertinet ad sacramentum, dicentes, quaedam sacramenta saepius posse suscipi, quae-dam vero non. Nec tamen, quae saepius sumuntur, totaliter iterantur, ut sacramentum altaris et unctionis: quae licet sumantur saepius, tamen quia non iterum benedicitur eadem hostia, vel idem oleum, non iteratur sacramentum cum injuryia. Odo, bishop of Paris from 1196, in his *Constitutiones synodicae*, c. 8 (Mansi xxii. 680): Doceant (sacerdotes) frequenter populum, hujusmodi sacramentum licite iterari et saepe recipi, scil. in qualibet magna infirmitate, unde metus est mortis, et post susceptum licite reverti ad opus conjugale eum, qui convaluerit de infirmitate.

²¹ Alex. Hales. P. iv. qu. 8, art. 2, § 3: Cum septem sint sacramenta, propter quid sola duo instituta sunt a Domino secundum suam formam, scil. baptisma et eucharistia?—Dominus institutionem formae voluit nobis dare per seipsum in illis principalibus sacramentis novae legis, quia ista totum hominem uniuert in corpore Ecclesiae secundum unitatem fidei et caritatis, cum digne suscipiantur, etc. — *Formam vero in aliis, quae non ita videntur esse principalia, per ministros Ecclesiae voluit ordinari.* For instance, it was frequently asserted of the sacraments of confirmation and extreme unction, that they were not instituted by Christ himself, cf. Alex. Hales. P. iv. qu. 24, membr. 1. De institutione confirmationis: Sine praejudicio dicendum, quod neque Dominus hoc sacramentum, ut est sacramentum, instituit neque dispensavit, neque Apostoli.—Apostoli confirmati sunt a spiritu sancto immediate sine ministro et sacramento, et ipsi confirmabant sine sacramento. — Sed postquam Apostoli, qui erant bases Ecclesiae,—defecrunt: institutum fuit hoc sacramentum Spiritus sancti instinctu in Concilio Meldensi, quantum ad formam verborum et materiam elementarem, cui etiam Spiritus sanctus contulit virtutem sanctificandi. Bonaventura, P. iv. dist. 7, art. 1, qu. 1 et 2, agrees with this word for word. (The wonderful statement about the Concil. Meldense appears to have been drawn from Gratian's Decrees de consecrat. dist. 5, c. 7, where a decision on confirmation is superscribed as if taken from the Concil. Meldensi, although it belongs to the Conc. Paris. 829, lib. i. c. 33.) Of the sacrament of extreme unction, Peter Lombard, Sent. lib. iv. dist. 23, had expressly stated ab Apostolis institutum legitur, and Bonaventura ad lib. iv. dist. 23, art. 1, qu. 2, defends this assertion. Also, of the sacrament of confession, Bonaventura ad lib. iv. dist 17, P. 2, art. 1, qu. 3, teaches, that Christ instituted it only quoad formale, i. e. potestatem absolvendi, when He assigned to the Apostles the power of the keys: on the other hand, quoad materiale, i. e. detectionem peccati, it was instituted not by Christ, but by the Apostles. In opposition to these views, the Dominicans, Albertus Magnus and Thomas, laid down that the institution of all sacraments by Christ himself was necessary. Thus Albertus M. in Sent. lib. iv. dist. 7, art. 2, in reference to confirmation, and lib. iv. dist. 23, art. 13, with regard to extreme unction: compare Thomas in Sent. lib. iv. dist. 23, qu. 1, art. 1, solutio 3. Quidam dicunt, quod sacramentum istud (*extremae unctionis*) et *confirmationis* Christus non instituit per se, sed Apostolis instituendum dimisit: quia haec duo propter plenitudinem gratiae, quae in eis confertur, non potuerunt ante Spiritus sancti missionem plenissimam institui: unde sunt ita sacramenta novae legis, quod in veteri lege figuram non habuerunt.—Alii dicunt, quod omnia sacramenta Christus instituit per se ipsum: sed quaedam per seipsum promulgavit, quae sunt majoris difficultatis ad credendum; quaedam autem Apostolis promulganda reservavit, sicut *extremam unctionem* et *confirmationem*. Et haec opinio pro tanto videtur probabilior, quia sacramenta ad fundamentum legis pertinent, et ideo ad legislatorem pertinet eorum institutio: et iterum quia ex institutione efficaciam habent, quae eis non nisi divinitus est.—Christus—non exhibuit aliquod sacramentum, nisi quod ipse accepit in exemplum. Accipere autem poenitentiam, et *extremam unctionem* sibi non competit, quia sine peccato erat: et ideo ipse non exhibuit. Thus

says he of confirmation, Summae P. iii. qu. 72, art. 1: instituere novum sacramentum pertinet ad potestatem excellentiae, quae competit soli Christo. Et ideo dicendum est, quod Christus instituit hoc sacramentum, non exhibendo sed promittendo.

²² Thomae Summae theol. P. iii. qu. 60–150, and Suppl. ad P. iii. qu. 1–68 (the last is drawn from his Comm. in Sent. lib. iv. dist. 1–42). Examples of development: The sacramentum matrimonii only rested on Eph. v. 32, and the schoolmen were at fault, to prove there a virtutem sacramentalem: hence Lombard (above, note 20) says: in remedium tantum esse (quite agreeing with Hugo a S. Victore de Sacram. lib. ii. P. xi.). On this head Thomas Aquinas in Sent. lib. iv. dist. 2, qu. 1, art. 1: gratia, quae in matrimonio confertur, secundum quod est sacramentum Ecclesiae in fide Christi celebratum, ordinatur directe ad reprimendam concupiscentiam quae concurrit ad actum matrimonii; et ideo Magister dicit, quod matrimonium est tantum in remedium, sed hoc est per gratiam, quae in eo confertur. Notwithstanding this explanation, the statement: quod quae-dam sacramenta novae legis instituta sunt in remedium tantum, ut matrimonium, fell among the Articuli, in quibus Magister non tenetur (d'Argentré, i. 118).—Thus came in also in after-times the doctrine of the *character*, of which neither Lombard nor Gratian knew any thing. Already Augustine (Contr. Epist. Parmen. lib. ii. c. 13, in Gratian. P. ii. caus. i. qu. 1, c. 97) had compared baptism and ordination, so far as by them a man receives membership in Christianity and his warrant for exercising the priestly office, with the *character militiae* (character regius epist. 185, § 23), or the *signum regale*, the mark that was imprinted on the soldier's arm or hand. Thus Innocent III. Decr. Greg. lib. iii. tit. 42, c. 3, speaks of a *character*, qui in baptimate imprimitur. But afterward Alexander of Hales (in Sent. lib. iv. qu. 8, membr. 8) makes the character which was communicated by the sacraments of baptism, confirmation, and orders, a subject of special inquiry: Bonaventura (in Sent. lib. iv. dist. 6, P. 1) and Thomas Aquinas (Summa P. iii. qu. 63) brought the doctrine to completion. Thomas (l. c. art. 2) confutes those who, holding the primitive opinion, asserted, quod character non sit spiritualis potestas, but only, signum sanctum communionis fidei, et sanctae ordinationis, datum a hierarcha. According to him, on the other hand, character importat quandam potentiam spiritualem ordinatam ad ea, quae suerunt divini cultus, and (art. 5) aliter est in anima gratia, et aliter character. Nam gratia est in anima, sicut quaedam forma habens esse completum in ea: character autem est in anima, sicut quaedam virtus instrumentalis.—Gratia inest animae mutabiliter, character indelebiliter. Duns Scotus (ad lib. iv. dist. 6, qu. 9, § 13) declares: licet characterem inesse animae, non possit probari per rationem naturalem,—licet etiam ex creditis manifeste, sive quae sunt explicite de substantia fidei, sive quae continentur in Scriptura, sive quae manifeste per Sanctos sunt elicita ex creditis, non possit probari, tamen ponit potest, etc.—Sentiendum est de sacramentis Ecclesiae, sicut sentit Romana Ecclesia: Romana autem Ecclesia videtur sentire, characterem imprimi in anima in baptismo, sicut dicit Innoc. III. (see above):—propter ergo solam auctoritatem Ecclesiae, quantum occurrit ad praesens, est ponendum, characterem imprimi.—The idea of the Opus operatum is first found in Duns Scotus lib. iv. dist. 1, qu. 6, § 10: Sacramentum ex virtute operis operati confert gratiam, ita quod non requiritur ibi bonus motus interior, qui mereatur gratiam: sed sufficit, quod suscipiens non ponat obicem. On the other hand, there remained a controversy on the cause of the efficacy of sacraments. Thomas, Summa P. iii. qu. 62, art. 1, impugns the opinion quod sacramenta non sunt causa gratiae aliquid operando, sed quia Deus sacramentis adhibitis in anima gratiam operatur. The principalis causa is God, the instrumentalis the sacrament itself; art. 4: Sed ponendo, quod sacramentum est instrumentalis causa gratiae, necesse est simul ponere, quod in sacramento sit quae-dam virtus instrumentalis ad inducendum sacramentalem effectum. He thus assumes, in corpore (i. e. in sacramentis) esse virtutem spiritualem instrumentaliter. Duns Scotus, lib. iv. dist. 1, qu. 5, controverts at great length this virtus spiritualis or supernaturalis, and asserts, on the other hand: Susceptio sacramenti est dispositio necessitans ad effectum signatum per sacramentum, non quidem per aliquam formam intrinsecam, per quam necessario causaret terminum, vel aliquam dispositionem praeviacem: sed tantum per assentientiam Dei causantis illum effectum.

§ 78.

ADORATION OF SAINTS.

In the Crusades and the many new monastic orders, the principal causes are to be found why the number of saints,¹ ancient

¹ The growth of the Legend of the 11,000 Virgins is in itself characteristic of the age. We find, even in Wandelberti martyrol. rhythm. (about the year 850), if the passage is genuine in other respects, ad xxi. Oct.

Tunc numerosa simul Rheni per litora fulgent
 Christo virgineis erecta trophyae maniplis
 Agrippinae urbi, quarum furor impius olim
 Millia mactavit, ductricibus inclyta sanctis.

On the other hand, in Usuardus (about 876) ad xx. Oct. Civitate Colonia passio sanctorum virginum Marthae et Saulae cum aliis pluribus. In a Kalendarium Eccl. Colonensis saec. noni ed. A. J. Binterim, Colon. 1824. 4. ad xxi. Oct. xi. Virginum, Ursulae, Sanctiae, Gregoriae, Pinosae, Marthae, Saulae, Britulae, Satninae (leg. Santinae), Rabaciae, Saturiae (leg. Saturniae), Palladiae (see the same names in Adonis martyrolog. op. H. Rosweydi, Antwerp, 1613. fol. App. p. 212). First at Treves, in a Kalend. saec. xi. (in Hontheim prodrom. hist. Trev. i. 385), we find: Sanctorum Virginum . . . milia; afterward in another, dated the end of the 11th century (*ibid.* p. 392), and in a third of the year 1128 (*ibid.* p. 399): XI. milium Virginum. Probably an ancient legend of Cologne, about many virgins, who had been slain by the Hunns, was connected with the unknown saintly virgins of the 20th and 21st. Oct. (Compare the similar legend of St. Sunniva, in Norway, Münter's Kirchengesch. v. Danemark u. Norw. i. 432, 478.) The number 11,000 appears to have risen from a misunderstanding of the ancient martyrologies: according to Valesius, the reading may there have been, s. Ursula et Undecimilla V. M.; according to Leibnitz, as there is no such name as Undecimilla, Ursula et Ximillia: yet more probably it was a false reading for XI. M. Virgines (martyres Virg. this is the case in the Martyrol. Rom. ad d. 25. Oct. Roma natalis Sanctorum XLVI. militum;—et alii Martyres centum viginti et unus: instead of this reads the ancient Martyrologium Gellonense in d'Achery spicil. ii. 25 Roma Natalis Sanctorum XLVI., seu *millia* centum viginti quatuor). A legend forthwith grew up (in Surius ad 21. Oct. Sigebert. Gembl. ad ann. 453 in Pertz, viii. 310): when in after-time heretical parties began to gain ground at Cologne (see below, § 87, note 11), then the bones of the virgins marked with their names were discovered to be a powerful and miraculous aid against them in the year 1156, and their history was most fully revealed to St. Elizabeth, abbess of Schonau. Cf. Elizabethae visionum lib. iv. c. 2 (in the Corpus revelationum ss. Brigittae, Hildegardis, Elizabethae. Colon. Agrip. 1628. fol. ii. 205): Quando complacuit Domino misereri super martyres suas pretiosas, quae per multa tempora jacuerant sine honore sub pedibus hominum et jumentorum secus muros urbis Coloniae; accidit ut viri quidam ibidem manentes accederent ad locum martyrii earum, et aperirent multa monumenta sanctorum corporum, atque ea inde sublata transferrent ad loca religiosa quae erant in circuitu, sieut a Domino fuerat ordinatum: erat autem annus dominicae incarnationis MCLVI. his fieri incipientibus.—Tunc inter caeteras una pretiosa martyr ibidem inventa est, in cuius sepultura titulus talis legebatur: *Sancta Verena virgo et martyr*: haec per manum ven. Abbatis nostri Hildelini inde in locum nostrum translata est, data ei a Tuitensi Abbe domino Gerlaco, qui ad colligenda et honoranda illius sanctae societas corpora, pia multum devotione fervebat.—In tempore eodem—reperta sunt inter sepulchra virginum multa corpora ss. Episcoporum atque aliorum magnorum virorum; erantque in monumentis singulorum repositi lapides habentes titulos sibi inscriptos, quibus dignosciebantur qui aut unde fuissent. Horum praece-

and modern, increased in such an extraordinary manner, why the relics grew to a countless multitude,² and miracles of every kind

puos et maxime notabiles transmisit ad me—praefatus Abbas, sperans aliquid mihi per gratiam Domini de eis posse revelari, et euius certificari per me, utrum credendum eis esset an non: habebat quippe suspicionem de inventoribus sanctorum corporum, ne forte lucrandi causa titulos illos dolose conscribi fecissent. However, all was right; and Elizabeth related in detail the revelations she had received from the saints themselves about their own history. In the year 1183 the praemonstrant-abbot Richard, who had betaken himself from England to the Abbey of Arnsberg (see Oudinus de scriptt. eccl. ii. 1521), had already received fresh revelations to complete those of St. Elizabeth, and wrote de passione ss. undecim milium virginum (in Jo. Crombach Ursula vindicata. Colon. 1667. fol.). According to St. Elizabeth, the sisterhood was attacked by the Hunns about the year 238; later writers, in order to avoid the awkward anachronism, have suggested a date between the year 452 and 466. Gobelinus Persona, dean at Bielefeld about 1418, already detects the fable in his Cosmodromium Aet. vi. c. 14, and remarks that in general the revelations of St. Elizabeth, in multis contrariantur libris chronicis et historiis: also Baronius ad ann. 237, § 11, styles them the Acta Ursulae et sociarum commentitia. Compare J. Usserii Britann. Ecclesiarum antiquitt. p. 323 ss. J. A. Schmidt, hist. eccl. fabulis maculata. Saec. III. p. 27. Rettberg's Kirchengesch. Deutschlands, i. iii. [Cf. O. Schade, die Sage von der heiligen Ursula und den elftausend Jungfrauen. 3te Aufl. Hanover, 1854.] The worship of many saints was transplanted from the east into Europe, e. g. that of St. Catherine (Baronius ad Martyr. Rom. de 25. Nov.), of whom it is very doubtful whether she ever existed.—Examples of Papal canonization may be found in Schrockh, xxviii. 173 (on the right of Reservation, see above, § 62, note 12).

² Instances of the numerous relics, which the Crusaders brought with them from Palestine, are to be found in J. J. Chifleti crisis hist. de linteis Christi sepulcral. c. 9 and 10, and other writers. At Antioch, in the year 1098, by means of a revelation, the spear was discovered with which the side of Christ was pierced, see Guiberti (abbot of Nogent, † 1124) hist. Hierosolym. V. 19, vi. 1 (in Bongars, i. 516, 520). At the conquest of Caesarea in 1101, the Genoese got into their possession a vas coloris viridissimi, in modum parapsidis formatum (Willerm. Tyr. x. 16, in Bongars, i. 784), supposed to be of emerald, but in reality cast in green glass, which was afterward passed off as the holy grail, the vessel which Christ used at his last supper, see San Marte's Wolfram v. Eschenbach, ii. 414. In the 12th century the seamless coat of Christ, which had been before kept in Galatia and at Jerusalem, was also produced in the West in several places; for instance, in Treves, Argenteuil, Rome, Bremen, etc. See The Holy coat of Treves and the 20 other holy coats without seam, by Gildemeister and v. Sybel, Dusseldorf, 1844. In no fewer different places, viz., in Antwerp, Rome, Aix, and others, they showed the praeputium Christi, see Hirschii hist. crit. praeputii Christi (in Winckler's anecdota historico-ecclesiastica, Braunschweig, 1757, i. 787). In the monastery of Corbie, in the 13th century (Mabillon Acta SS. Ord. Ben. IV. i. 372), were to be found, among other relics, a portion of Noah's beard, de sanguine, de capillis, umbilico, praeputio, de vestimentis, et de omnibus, quae de Domino nostro Jesu Christo possunt in terra quantum ad hominem inveniri. Comp. Hurter's Innocenz III. iv. 524. In the year 1163 (see the Auctarium Aquicinense ad Sigebertum Gemblac. by a contemporary writer, in Pertz, viii. 405), corpora trium Magorum a Rainaldo, Coloniensi electo, de Ecclesia quadam civitati Mediolanensi contigua, translata sunt, et—civitati Coloniensi illata, et in Ecclesia s. Petri reposita sunt. Si quis vult scire, quomodo de partibus suis translata sint Constantinopolim, et de Constantinopoli Mediolanum, id in Ecclesia s. Petri Coloniensis inveniet.—That impostures were often practiced by the venders of reliques is plain from the prohibition, Syn. Pictav. ann. 1100, c. 12, Conc. Lateran. gen. IV. ann. 1215, c. 62, Conc. Burdegal. ann. 1255, c. 9. Particularly worth reading are Guiberti (abbot of Nogent † 1124) libb. iii. de pignoribus Sanctorum (in Guiberti opp. ed. L. d'Achery. Paris. 1651. fol. p. 327 ss.), in which the author, after first demonstrating the imposture of the pretended tooth of Christ, which the monks of St. Medardus asserted to be in their

possession, proceeds to declare many sound opinions about the worship of saints and reliques. Among other places, see lib. i. c. 1. Sunt enim quam plurimae super quibusque Sanctis relationes, quibus potius eorum praeconium apud infideles impiorum poterat, quam aliquatenus illustrari.—Et quibus super hujus inflictione naevi parsuum putamus, cum non vitas, sed potius naenias aliquorum Apostolorum tanta infuscatas fuligine videmus? Et harum rotatus fabularum omnis carri stridore deterior, quam aedificationem afferet piis, qui etiam incentivum blasphemiae sugeret impiis? Quid Thomae historia, nisi strepitus aurium, appelletur, cui non semel Augustinus, sed locis pluribus refragatur? Egebat forsitan aut Deus, aut Sancti eorum, juxta illud Job (13, 7), mendacio, ut pro ipso loquerentur dolos!—Quid dicam de illis, qui nullis aliorum testimonis claruerunt, et ex eo quod scripturis qualibuscumque celebrari putantur, potissimum tenebrantur?—Et quis illos, ut se juvare debeant, deprecetur, quos nescit utrum quippiam apud Deum mereantur?—Certe vidi quosdam, qui cum diutissime aliquem, ut ferebant, sanctum, ex Britannia delatum, pro Confessore habuissent, mutato drepente animo pro Martyre celebrarunt. Causas cum rogitassem, nil dignius super martyrio hominis quam de pratermissa confessione dixerunt.—Cap. 2, § 5: Crebro perspicimus ista susurro, et facta fereretur circumlatione ridicula, et eorum, quos a rabio declamandi rabulos Hieronymus vocat, mendaciis quotidie cernimus alieni marsupii profunda nudari. Quorum tanta nebulonitate concutimur, tanta divinorum adulazione ferimur, ut juxta praefatum doctorem scurras, helluones et castellanos [*leg. catillones*] liguriendo exsuperent, corvos ac picas importuna garrulitate praecedant. § 6. Celeberrima quaedam Ecclesia hujusmodi circumvagationes agebat, et ad sui reparationem damni quaestus adhilito prolocutore quaerebat. Cumque super reliquis suis sermonem plus aquo extuberat, prolato phylacterio ait (ego autem in praesentiarum): sciatis, inquit, quod intra hanc capsulam de pane illo, quem propriis Dominus dentibus masticavit, habetur: et si minus a vobis creditur, ecce heros, ait, iste (de me autem dicebat), quem vos in literis plurimum valere testamini, verbo meo, si necesse fuerit, testis assurget. Fateor, erubui cum audisset, et nisi eorum praesentiam, quos ille auctores habere videbatur, reveritus essem,—falsarium ostendere debuissem. Quid dicam? ne monachi quidem, nedum clerici, ab hoc turpi emolumento se continent, ut res haereticas super fide nostra etiam me audiente pronuncient. Juxta enim illud Boëtianum jure insanus judicarer, si contra insanos altercarer. Cap. 3, § 1: de Confessoribus quae censura ferenda? si in Martino, Remigio ac similibus totius Ecclesiae sensus adaequitat, quid de eis proferam, quos praefatorum aemulum per villas ac oppida quotidie vulgus creat? Cum enim alii alias summos consiperent habere patronos, voluerunt et ipsi quales potuerunt et facere suos, as 2 Reg. xvii. 29: *Unaquaque gens fabricata est Deum suum.*—Dicant ergo mihi, quomodo sibi illum patrocinari aestimat, de quo quicquid est sciendum ignorant. Nusquam de eo scriptum practer nomen invenies. Caeterum tacente clero anus et muliercularum vilium greges talium patronorum commentatas historias post insubulos et litiatoria cantitant: et si quis earum dicta refellat, pro defensione ipsorum non modo convitiis sed telarum radiis instant.—De cuius itaque statu omnino ambigis, talem petere nonne insani prorsus est capit? et quem ignoras utrum melior te sit, quare postulas ut penes Deum pro te sit?—Sed quid in iis diu vensor, cum tanta sit in totius Ecclesiae ore pudicitia, ut etiam Matris dominicae corpus resurrectione glorificatum dicere non audeat, ob hoc videlicet, quod necessariis argumentis comprobare non valeat? Et cum vas illud omni creatura post Filium paeclarium—irremuneratum in honoretum dimisisse ad experientiam corruptionis credere nefarium sit,—resuscitatum nequaquam dicere audeamus, nec ob aliud profecto, nisi quod probabilibus indicis id asseverare non possumus.—Si de illa, cuius gloriam metiri omnis creatura non praevalet, ea quae praemissa sunt docere non possumus, de iis quorum salus et perditio incerta sunt, quid nisi silentium sempiternum imperare debemus? Porro sunt quaedam de aliquibus scripta, quae, multo deteriora naenii, ne subulcorum quidem essent auribus inferenda. Certe cum plures sanctis suis summas antiquitates attribuant, moderno tempore eorum scribi vitas expostulant. Quod a me profecto saepe petitum est. Ego autem in his quae obtutibus subjacent fallor; et de iis, quae nemo unquam viderit quid veri profiteor?—§ 2: Caput Baptistae dominici cum Constantinopolitani habere se dicant, Angerienses Monachi idem se habere testantur.

were of almost daily occurrence.³ In the method of its saint-wor-

Quid ergo magis ridiculum super tanto homine praedicetur, quam si biceps esse ab utrisque dicatur?—Quid de capite Joannis ago, qui de innumeris Sanctorum corporibus itidem in dies audio?—Cap. 4, § 1: Sed haec omnia a perversitate radicis emergunt, quae non est alia, quam quod eisdem adimitur, quod communi sorte debuerat omnis commerteri humana natura. Si enim certo certius de terra hominis origo consistit, et persolutio mortis debito in eamdem ex primae damnationis legibus recedit, praesertim cui dictum est, *terra es et in terram ibis*: Deus, mea sententia, nec praesenti nec secuturo cuiquam dixit: *Aurum vel argentum es, in aurum vel argentum ibis*. Utquid precor homo a sua natura, immo a Dei imperio eruitur, ut, quod conditionaliter nulli competit, aureis vel argenteis conchulis inservatur?—Certe si Sanctorum corpora sua juxta naturae debitum loca, id est sepulchra, servassent, hujusmodi quos recensui errores vacassent. Per hoc enim quod e tumulis eruuntur, membratim hoc illucque feruntur; et cum pietatis obtentus occasio circumlationis extiterit, ad hoc subeunte nequitia detorqueri coepit intentionis rectitudo, ut paene quae simpliciter fieri consueverant corrumperet universa cupidio.—Quid de iis iudicii proferetur, quibus avaritia sola in causa est, et Sanctorum corpora faciunt irrequieta dispergi, immo, ut sic dicam, pro sola oblationum illatione quotidiano ostentui haberi? Solent namque pixibus eburneis aut argenteis nuda Sanctorum ossa contegere, et ad tempus et horam pretio sese ingerente retegere.—Dicat quisque quod sentit, securus plane ego inferam, non Deo, non Sanctis ipsis umquam fuisse placitum, ut eorum cuiuspiam deberit reserari sepulchrum, aut dirimi per frusta corpuseulum.

³ Compare among others Petri Venerabilis (see above, § 67, note. 21), de miraculis sui temporis, libb. ii. (in Bibl. PP. Lugd. xxii. 1087), and Caesarii Mon. Heisterbacensis (about 1227) de miraculis et visionibus sueae aetatis, lib. xii. (ed. Colon. 1591 and 1599. 8.). As to how they were managed, see Abaelardi sermo xxxi. de s. Joanne Baptista (Opp. p. 967): Quid ad haec illi dicturi sunt, quos hoc tempore in tantum vidimus praesumere, ut de solitudine ad turbas procedentes, sicut de ficto religionis nomine tumbabant, ita et de simulatione miraculorum gratia videri mirabiles appetebant? Omitto contactus et benedictiones aquarum, quas languidis in poculum dirigebant, ut sic curarentur, contrectationes vel consignationes membrorum, ut dolores infirmantium expellerent, eulogias in panibus fractas et ad infirmos destinatas. Ad majora veniam, et summa illa miracula de resuscitandis quoque mortuis inaniter tentata. Quod quidem nuper praesumpsisse Norbertum et Coapostolum ejus Farsitum mirati fuimus, et risimus. Qui diu pariter in oratione coram populo prostrati, et de sua praesumptione frustrati, cum a proposito confusi decidebant, objurgare populum impudenter coeperunt, quod devotioni suae et constanti fidei infidelitas eorum obsisteret. O calliditas incautorum! o excusatio frivola inexcusabilem! —Non ignoramus astutias talium, qui cum febricitantes a lenibus morbis curare praesumunt, pluribus aliqua vel in cibo vel in potu tribuant ut curent, vel benedictiones vel orationes faciunt. Hoc utique cogitent, ut, si quoquomodo curatio sequatur, sanitati eorum imputetur: sin vero minime, infidelitatem eorum vel desperationem adscribatur. The Chron. Montis Sereni ad ann. 1214 (in Mencken scriptt. rer. Germ. ii. 243) records: A certain vicar of the Market Church at Halle, Petrus nomine, egit arte, quam ipse noverat, ut ad imaginem quandam Crucifixi, quae in ipsa erat ecclesia, sanitates conferre aegris adventantibus putaretur. The matter created a great sensation in the neighborhood, and brought in much money, in which the Archbishop of Magdeburg and the Monastery zum Neuen Werke took a share. It advanced to such a degree, ut Poppe Praepositus assidua predicatione virtutes, quae ibi fuerint, populis intimaret, et contradicentes vel irridentes post excommunicationis quoque sententiam prohiberet. When, however, that vicar left Halle, omnis ille virtutum effectus cum eo penitus emigravit. Constat enim nihil ibi talium postmodum accidisse. Concerning the hooded virgin who appeared in the time of Philip Augustus to a carpenter named Durand, see Capefigue hist. de Philippe Auguste, i. 234. So long as it was needful to impress the doctrine of transubstantiation upon the people, the visible appearance of flesh in the Lord's Supper was especially common, see § 77, note 4: When it was desired to carry out the doctrine of *Concomitance*, with a view to refus-

ship,⁴ as well as in its numerous lying legends, the age has plainly imprinted itself, with all its love for the marvelous, and all its rudeness of morals; and the *Legenda Sanctorum* of Jacobus de Voragine, the Dominican monk and Archbishop of Genoa († 1298), which surpassed all others in both respects, became the *Legenda aurea*.⁵

ing the cup, miraculous appearances of blood succeeded (§ 77, note 12, toward the end). The manner in which Buoncampagno, the grammarian at Bologna, derided the eagerness of his age for miracles, is told in the Chron. Fr. Salimbeni de Adam ad ann. 1229 (in *Sarti de claris archigymn. Bonon. Professoribus*, i. i. 509): *Et iste Mag. Boncompagnus videns, quod Frater Johannes (a Dominican) intromitterebat se de miraculis faciendis, voluit et ipse se intromittere.* He drew the men of Bologna to some distance from the city, by advertising, *quod videntibus illis volare volebat, he kept them waiting there a long time, and then dismissed them with the words, Ite cum benedictione divina, et sufficiat vobis vidisse faciem Boncampagni.*

⁴ Characteristic in connection with this is the narrative, told by Stephanus de Borbone in Echard scriptt. Praedic. i. 193, of the hound celebrated in prose and verse, which, in the diocese of Lyons, at the beginning of the 13th century, had killed a serpent in defense of a child in its cradle, and was killed by the father on his return, who erroneously thought he had slain his child; the hound was honored as a martyr by the common people under the name of s. Guinefortis: *canem tanquam martyrem honoraverunt, et pro suis infirmitatibus et necessitatibus rogaverunt:* mothers, in particular, offered prayers to him in behalf of weakly children. Stephen himself, with the other Dominicans, put an end to these doings.

⁵ *Legenda aurea, seu Historia Lombardica, seu Legendae Sanctorum per anni circuitum venientium in 177 parts printed often before the Reformation, again Argent. 1518, rec. Dr. J. G. Th. Graesse, Dresdae et Lips. 1846, 2d ed. 1850.* One characteristic of the work is the peculiarity of the etymologies, laid down as the groundwork of the historical portion, e. g. No. II.: *Andreas interpretatur decorus vel respondens vel virilis ab andros, quod est vir. Vel dicitur Andreas quasi antropos, i. e. homo, ab ana, quod est sursum, et tropus quod est conversio, quasi sursum ad caelestia conversus et ad suum creatorem erectus.* Fuit ergo decorus in vita, respondens in sapienti doctrina, virilis in poena, et antropos in gloria. No. Ixiii. vita Jacobi minoris: *Vespasianus quoddam genus vermium naribus insitum ab infantia gerebat, unde a vespis Vespasianus dicebatur.* A Nuncius Pilati told him that faith in Jesus would heal him. Et Vespasianus: *Credo, quod qui mortuos suscitat, me etiam de haec infirmitate liberare potest.* Et hacc dicendo vespae de ejus naribus ceciderunt, et tunc continuo sanitatem recepit. Then to avenge the death of Jesus, Vespasianus Romam adiit et destruendi Judacam et Jerusalem a Tiberio Caesare licentiam impetravit, etc. Traces of rudeness in morals, no. xlviij.: St. Longinus, who pierced Christ with the spear, was forthwith converted by the miracles which attended Christ's death: *unde renuncians militiae et ab Apostolis instructus in Caesarea Cappadociae xxviii. annos monasticam vitam duxit, verbo et exemplo plurimos ad Christum convertit.* Cum autem a Praeside tentus fuisse et sacrificare nolle, jussit Praeses omnes dentes ei excuti, et linguam abscidi: *Longinus tamen ex hoc loquela non perdidit, sed accepta securi omnia idola comminuit et fregit dicens: si Dii sunt, videbimus.* Daemones autem de idolis exeunte in Praesidem et in omnes ejus socios intraverunt, et insanientes et latrantes se Longini pedibus prostraverunt.—Cum ergo Praeses insaniret et oculos amississet, dixit ei Longinus: *scito, quomodo sanari non poteris, nisi quando me occideris.* Quam cito enim a te mortuus fuero, pro te orabo, et sanitatem tibi corporalem et animac impetrabo. Et statim eum decollari jussit. Post hoc abiit ad corpus ejus et prostratus cum lacrymis poenitentiam egit, et continuo visum et sanitatem recepit, et in bonis operibus vitam finivit. [A French translation of the *Legenda aurea* was published at Paris in 1854.]

Following the example of France and Spain, England also now began to trace back its conversion to the immediate disciples of the Apostles, and the Abbey of Glastonbury claimed Joseph of Arimathea as its founder.⁶

The result of the excessive veneration of saints, by which men were deified, and God brought down to the level of man, was the extravagant exaltation of the Virgin Mary, not only among the common people,⁷ and especially the monks,⁸ but also among the

⁶ Guilelmus Malmesburiensis († 1143) de antiquitatibus Glasconiae (in Th. Gale rerum Anglicarum scriptt. iii. 291). Dr. G. Thiele comm. de Ecclesiae Britannicae primordiis Partt. 2 (Halae, 1839), i. 20, ii. 12. San Marte's Wolfram v. Eschenbach, ii. 412. [Cf. William of Malmesbury Chronicle in Bohn's Antiquarian Library, vol. 2.]

⁷ The Golden Smithy, by Conrad of Wurtzburg († 1287) (published by W. Grimm, Berlin, 1840), is a hymn to the Virgin Mary. A catalogue of others may be seen in Grimm's Einleitung, s. xxv. comp. Reinmar v. Zweter (Maness's Sammlung, ii. 139):

Si hat den starken Got uns überwunden,
Das sin Gewalt ist so von ir gebunden,
Das er niht wan genade biuet,
Fride und stete Süne er git.

Meister Rumsant (in Maness. ii. 224):

Vür welhen Sünder Maria wil dingen;
Si spricht: Kint dis sint die Briuste, die du sukest,
Gedenke, lieber Sun, gewer mich ob du mugest,
La mich den Sünder dir ze hulden bringen,
Sich, Hierzentrut, dis ist der Schos,
Da ich dich uf want mit kranken (evil) Tuochen, etc.
So nimt der Sun sin edel Muoter bi der Hant,
Er spricht: Vater min, es ist also gewant,
Ich und min Muoter suchten din Erbarmen.
Gedenke Vater wie ich von dem Himmel kam,
Und von miner Muoter Menschheit an mich nam,
Du sehe (sahest) mich gekruzet mit den Armen,
Den Tot ich vür die Sünder leit,
Nu schowe Herre Vater mine Wunden,
Ich leit an Henden und an Füzen Umgemach,
Und in der Sitcn, da mich tot ein blinde (Longinus supposed to have been blind) stach,
Darumbe hat manig Sünder Genade funden.

Compare Pescheck: der religiöse Glaube der gebildeten Laien in Deutschland, namentlich im 13. Jahrh. in Stäudlin's und Tzschriner's Archiv für Kirchengesch. IV. iii. 488, 512. Vita b. Petri Acotanti published by G. Zappert, Wien, 1839, s. 13, 19. Some allegories and images of this time with reference to the Virgin Mary have been collected by Grimm in his introduction to Conrad of Wurtzburg's Golden Smithy, s. xxxi. On the mixture of knightly courtesy in the honor rendered to Mary, compare Lütkemüller, in Wieland's Neuem deutschen Merkur, Dec. 1796, s. 329 ff. March, 1797, s. 205 ff. Gott der Vater minnete Maria, cf. Pescheck s. 490 ff. e. g. B. Reinmar v. Zweter (in Maness. ii. 123):

Dur Mine wart der Alte jung,
Der je was alt an Ende,
Von Himmel tet er einen Sprung
Heröe in dis Ellende, etc.

Friedrich v. Suonenburg. (S. 210, l. c.):

Sich Gotes Tochter, wiltu mich
Nicht mieten (lohnen), Kiuniginne,
So sage ich, was ein hoher Man

most distinguished scholars of this age.⁹ As Sundays and festi-

Mit dir begangen hat.
 Er nam sich dir ze dienen an
 In minneklicher Minne,
 Er warb es tougen (heimlich) wider dich,
 Do tet du swes er bat:
 Dir gieng sin Bet und siniu Wort
 Durh Oren und durh Ougen,
 Aldar kam siner Fröden Hirt
 Ze dir geslichen tougen.
 Er was dir inneklichen bi
 Mit Warheit sunder Spot,
 Doch weis ich diner hulde dri (Trinität)
 Der du verholne pflege, und was des Gabriel din Bot.

But even the worship of Mary took the form of knightly homage to woman, see Lütke-muller passim. Compare the Love-song to Mary by the Troubadour le Moine de Fossan in Millot hist. des troub. ii. 224.

⁸ The Carthusians chose her and John the Baptist for their patrons (*vita s. Brunonis* in the *Acta SS. ad 3. Oct.*). But the Cistercian order was, *inter religiones caeteras gloriosae Virgini singularitate devotionis adscriptus ex institutione primaria* (see *Privilegium Gregorii IX.* in *Manrique annal. Ord. Cisterc. i. 10, 37*), and all its churches were dedicated to the Virgin (*Capit. generale ann. 1134, c. 21*). The Carmelites were *fratres eremita*s *s. Mariae* (§ 67, not. 6, § 69, not. 12). The Servites were *Servi b. Mariae virginis* (§ 68, not. 18).

⁹ Even Bernard says (*Sermo in Nativ. b. Mariac, de aquaeductu*, § 7, in *Opp. ed. Mabillon*, ii. 160): *Totis ergo medullis cordium, totis praecordiorum affectibus, et votis omnibus Mariam hanc veneremur, quia sic est voluntas ejus, qui totum nos habere voluit per Mariam.*—*Ad Patrem verebaris accedere, solo auditu territus, ad folia fugiebas* (in allusion to Gen. iii. 7. 10): *Jesum tibi dedit mediatorem.*—*Sed forsitan et in ipso majestatem vereare divinam, quod licet factus sit homo, manserit tamen Deus.* Advocatum habere vis et ad ipsum? Ad Mariam recurre. Pura siquidem humanitas in Maria, non modo pura ab omni contaminatione, sed et pura singularitate naturae. Nec dubius dixerim, exaudiet et ipsi pro reverentia sua. Exaudiet utique matrem filius, et exaudiet filium pater. Filioi, haec peccatorum scala, haec mea maxima fiducia est, haec tota ratio spei meae. Quid enim? Potestne filius aut repellere, aut sustinere repulsam: non audire, aut non audiri filius potest? Neutrum plane. *Invenisti, ait Angelus, gratiam apud Deum* (*Luc. i. 30*). Feliciter. Semper haec inveniet gratiam, et sola est gratia, qua egenus, etc.—Bonaventura was most inexhaustible in the praise of Mary, in the works *Speculum b. Mar. Virginis, Corona B. Mar. Virginis, Carmina super canticum Salve Regina, Laus b. Virginis Mariae* (found together in *Opp. VI. ii.*). The *Psalterium minus* and *Psalterium majus b. Mariae Virginis* were ascribed to him, probably without sufficient reason, as a similar work, the *Biblia Mariana*, was to Albertus M. They belong, however, to this period. The *Psalterium majus* is a Parody of David's Psalter, e. g. Psalm 1: *Beatus vir qui diligit nomen tuum, Maria Virgo: gratia tua animam ejus confortabit.* *Tanquam aquarum fontibus irrigatum uber, in eo fructum justitiae propagabis.* *Benedicta tu inter mulieres, per credulitatem cordis sancti tui.* *Universas enim foeminas vincis pulchritudine carnis: superas Angelos et Archangelos excellentia sanctitatis.* *Misericordia tua et gratia ubique praedicatur: Deus operibus manuum tuarum benedixit.* *Gloria Patri, etc.* Psalm. 93: *Deus ultionum Dominus, sed tu Mater misericordiae ad miserandum inflectis, etc.* Psalm. 109: *Dixit Dominus Dominae nostrae: sede mater mea a dextris meis.* Bonitas et sanctitas placuerunt tibi: ideo regnabis mecum in aeternum, etc. In order to give these extravagancies a dogmatical foundation, Hyperdulia was demanded for the Virgin Mary, in distinction from the Dulia due to the rest of the saints. Lombard lib. iii. dist. 9, was the first to think of a higher step of Dulia, but it was with reference to the manhood of Christ: (quidam) duliae duas species vel modos esse dicunt. *Est enim cujusdam modi dulia, quac creaturae cuilibet exhiberi potest: et est quaedam soli hu-*

vals were dedicated to the Lord, so Saturdays and vigils were consecrated to the Queen of heaven.¹⁰ Thus the mechanical form of prayer, which was brought to perfection by the invention of the rosary,¹¹ was divided between God and Mary.¹² When, how-

manitati Christi exhibenda, non alii creaturae, quia Christi humanitas super omnem creaturam est veneranda et diligenda. However, the other opinion prevailed, Christi humanitatem una adoratione cum verbo esse adorandam, thus, adoratione latriae. So, when that higher step of Dulia was discontinued for the manhood of Christ, it was claimed soon after under the name of Hyperdulia for the Virgin Mary; who in the above quoted passage of Lombard is even expressly excluded from it. Alex. Halesius P. iii. qu. 30, membr. 3, art. 1. Bonaventura in Sent. lib. iii. dist. 9, art. 1, qu. 3. Comp. Thomas Summae P. iii. qu. 25, art. 5. Cum igitur b. Virgo sit pura creatura rationalis, non debetur ei adoratio latriae, sed solum veneratio duliae; eminentius tamen, quam caeteris creaturis, in quantum ipsa est mater Dei. Et ideo dicitur, quod debetur ei non qualiscunque dulia sed hyperdulia. Idem Secunda Secundae, qu. 103, art. 4: Hyperdulia videturesse medium inter latram et duliam.

¹⁰ Compare Div. I, § 33, note 18. The officium s. Mariae mentioned there was now common in the monasteries, see Gerhohus (Provost. in Reichersberg, † 1169) comm. in Psalm. xxxix. 4 (in Pezii thesaur. v. 794): In Coenobii canticum novum celebratur, cum a tempore Papae septimi Gregorii cursus b. Mariae frequentatur. Stephanus de Borbone (a Dominican in Lyons about 1225) de septem donis Spiritus S. in Echard scriptt. Praedicat. i. p. 189: multi ex devotione, quam habent ad eam (Mariam) omnium festivitatum —jejunant vigilias, etiam multi in pane et aqua, hac etiam intentione multi, ut ipsa eis obtineat, ne moriantur inconfessi. Et licet mala sit in hoc superstitione et abusio, et reprobanda, quam quidam habent circa ejus misericordiam, confidentia, hac faciendo mala securius, quasi faciendo haec jejunia non possint hinc migrare imponentes et inconfessi: devotio tamen pia circa haec jejunia est approbanda (the ancient rule, for which the corruption of the Church is in great part responsible). Then Stephen relates how Saturday especially was kept as a fast-day in honor of the Virgin, by many with bread and water, by others with abstinence from flesh, by others in the same way as Lent, by all in the faith, quod b. Virgo, si hoc usque ad septennium compleverint, per hoc trahat eos ad bonum finem. The Conc. Tolosanum ann. 1229, c. 25 (Mansi xxiii. 200), even prescribed to the laity: Sabbato circa vespera ob reverentiam b. Mariae Virginis Ecclesias suas cum devotione visitent.

¹¹ Compare above, § 69, note 10.

¹² Petrus Damiani opusc. 33, c. 3, first relates as something singular, that an ecclesiastic had daily saluted the Virgin with Luc. i. 28: Ave Maria, gratia plena, Dominus tecum: benedicta tu in mulieribus. This custom soon became more frequent, and was miraculously rewarded by the Virgin, see Hermanni (about 1130) narratio restauracionis Abbatiae s. Martini Tornacensis in d'Achery spicilegium, ii. 905. The first decree on this point is by Odo, after 1196 Bishop of Paris, see Praecepta communia, no. 10 (Mansi xxii. 681): Exhortentur populum semper presbyteri ad dicendam [leg. descendam] orationem dominicam, et Credo in Deum, et salutationem b. Virginis. In the thirteenth century the Ave Maria became a regular prayer. According to Stephanus de Borbone, in Echard scriptt. Praedic. i. 189, devout persons made use of this prayer every day, some 1000 times, some 100, some 50; according to Thomas Cantipratensis, bonum univ. de apibus lib. ii. c. 29, art. 6 et 8, many made use of tres Salutationum quinquagenas. At the end of the original formula, soon after, was repeated, et benedictus fructus ventris tui. Urban IV. added yet to this, Jesus Christus, Amen. The longer additional clause: Sancta Maria, Dei genitrix, ora pro nobis peccatoribus nunc et in hora mortis, Amen, was framed little by little after the beginning of the sixteenth century, and was first honored with universal acceptation in the Church by the Breviarium Pii V. See Mabillon, Acta ss. Ord. Ben. saec. v. praef. p. lxxvii. ss.

ever, certain canons of Lyons, about the year 1140, projected the doctrine of the Immaculate Conception of Mary,¹³ and a festival in commemoration of it, they met with a stout resistance not only from St. Bernard,¹⁴ but other theologians also of the twelfth century¹⁵ declared themselves against this innovation. In the

¹³ The Virgin Mary had been considered as sinless long before this time, even by Paschasius Radb. de partu Virg. (in d'Achery spicileg. i. 46) as sanctificata in utero matris, but not as conceived without sin. Cf. Anselmus cur Deus homo? lib. ii. c. 17: *Licet ipsa hominis ejusdem [Iesu] conceptio sit munda, et absque carnalis delectationis peccato; Virgo tamen, unde assumpta est, est in iniquitatibus concepta, et in peccatis concepit eam mater ejus, et cum originali peccato nata est, quia et ipsa in Adamo peccavit, in quo omnes peccarunt.*

¹⁴ Bernardi epist. 174 ad Canonicos Lugdunenses:—Miramus satis, quid visum fuerit hoc tempore quibusdam vestrum voluisse mutare colorem optimum, novam inducendo celebritatem, quam ritus Ecclesiae nescit, non probat ratio, non commendat antiqua traditio. Numquid Patribus doctiores aut devotiores sumus? Periculose praesumimus quicquid ipsorum in talibus prudentia praeterivit. Nec vero id tale est, quod nisi praetereundum fuerit, Patrum quiverit omnino diligentiam praeterisse.—Ortum Virginis didici in Ecclesia et ab Ecclesia indubitanter habere festivum atque sanctum, firmissime cum Ecclesia sentiens, in utero eam accepisse, ut sancta prodiret. Et de Jeremia siquidem lego, quod priusquam de ventre exiret, sanctificatus sit (Jer. i. 5); et de Joanne Baptista non secus sentio, qui ex utero Dominum in utero sensit (Luc. i. 41). Videris etiam tu, an et de s. David id ipsum licet opinari (on account of Ps. lxx. 6, xxi. 11, 12).—Caeterum quatenus adversus originale peccatum hanc ipsa sanctificatio valuerit,—non temere dixerim. Sanctificatos tamen non dubitaverim dicere, quos Deus sanctificavit, et cum eadem sanctificatione prodiisse ex utero, quam accepérunt in utero, nec reatum, quem in conceptione traxerunt, valuisse ullatenus horum natali jam donatam praepedire seu praeripere benedictionem.—Fuit proculdubio et Mater Domini ante sancta quam nata. Nec fallitur omnino s. Ecclesia, sanctum reputans ipsum Nativitatis ejus diem, et omni anno cum exultatione universae terrae votiva celebitate suscipiens. Ego puto, quod et copiosior sanctificationis benedictio in eam descenderit, quae ipsius non solum sanctificaret ortum, sed et vitam ab omni deinceps peccato custodiret immunem: quod nemini alteri in natis quidem mulierum creditur esse donatum.—Quid adhuc addendum his putamus honoribus? Ut honoretur, inquiunt, et conceptus, qui honorandum praeivit partum: quoniam, si ille non praecessisset, nec iste esset, qui honoratur. Quid si alias propter eandem causam etiam utrique parenti ejus festos honores asserat deferendos? Sed de avis et proavis id ipsum posset pro simili causa quilibet flagitare: et sic tenderetur in infinitum, et festorum non esset numerus. Patriae est, non exilii, frequentia haec gaudiorum, et numerositas festivitatum cives decet, non exiles. Sed profertur scriptum supernae, ut ajunt, revelationis. Quasi et quivis non queat scriptum aequo producere, in quo Virgo videatur id ipsum mandare et de parentibus suis.—Ipse mihi facile persuadeo scriptis talibus non moveri, quibus nec ratio suppeditare, nec certa inveniatur favere auctoritas.—Etsi quibus vel paucis filiorum hominum datum est cum sanctitate nasci, non tamen et concipi; ut uni sanc servaretur sancti praerogativa conceptus, qui omnes sanctificaret, solusque absque peccato veniens, purgationem faceret peccatorum, etc. In England, Anselm, archbishop of Canterbury, was the first to bring in the festum conceptionis Domini s. annunciationis Mariae, and even then this festival appeared ridiculous to many from the first, and was opposed because of its novelty, see Osberti de Clara ep. 8 ad Anselmum (epistolae Herberti de Losinga, Osberti de Clara et Elmeri, ed. a R. Anstruther, Bruxell. et Lond. 1846, p. 124).

¹⁵ Bernard's contemporary Potho Presb. Prumiensis de statu domus Dei lib. iii. in fine (Bibl. Patr. Lugd. xxi. 502): *Quac igitur ratio haec festa celebranda nobis induxit, festum videlicet s. Trinitatis, festum transfigurationis Domini?* Additur his a quibusdam, quod

thirteenth century the feast of the conception gradually extended itself more and more;¹⁶ nevertheless, the doctrine of the immaculate conception was not adopted by any eminent theologian of this century.¹⁷ The authority of the celebrated Thomas Aqui-

magis absurdum videtur, festum quoque conceptionis s. Mariae. The rest that he says on this head is taken word for word from Bernard's letters. About 1175 Nicolaus Mon. s. Albani, in England, was a zealous advocate for the immaculate conception. But Peter Cellensis, at that time Abbot of St. Remigius at Rheims, censured him and defended St. Bernard, see Petri Cell. epist. lib. vi. epist. 23 (Bibl. PP. Lugd. xxiii. 878), lib. ix. ep. 9 and 10 (ib. 902).—Joannes Beleth (see at the head of § 77) divin. offic. explicatio, c. 146: Festum conceptionis [Mariae] aliqui interdum celebrarunt, et adhuc fortassis celebrant: sed authenticum atque approbatum non est, immo vero prohibendum potius esse videtur. In peccato namque concepta fuit.

¹⁶ Cf. Conc. Oxoniense ann. 1222, cap. 8: Statuimus quod festa subscripta sub omni veneratione serventur, videlicet—omnia festa b. Mariae, praeter festum conceptionis, cuius celebrationi non imponitur necessitas. On the other hand, it is found without remark in the Tables of Festivals: Statuta synodalia Eccl. Cenomanensis ann. 1247 in fine (Mansi xxiii. 764), Conc. Copriniacense between 1250 and 1260, cap. 21 (Mansi xxiii. 870), and Exoniense ann. 1287, c. 23 (Mansi xxiv. 813). It was decreed in the general chapter of Franciscans at Pisa, in the year 1263 (Wadding ad h. a. no. 16), ut novae haec festivitates admitterentur in Ordine, videlicet conceptionis b. virginis Mariae, Visitationis ejusdem, b. Annae illius genitricis, et Marthae virginis. (Careful but uncritical is the collection of all that pertains to this head, in the work of the Franciscan M. Ant. Gravois de ortu et progressu cultus ac festi immaculati conceptus b. virg. Mariae. Lucae, 1762. 4. Compare particularly at the end the Documentorum regestum. In the earlier passages quoted there the conceptio b. Mariae is the conceptio activa s. annuntiatio.) In the 13th century, however, throughout, only the celebration of the conception, not of the immaculate conception, is mentioned: cf. Thomae Summa P. iii. qu. 27, art. 2, below, note 18. Durandi rationale divin. offic. lib. vii. c. 7: Quidam etiam faciunt quintum festum s. de conceptione b. Mariae, dicentes, quod, sicut celebratur de morte Sanctorum non propter mortem, sed quia tunc recepti sunt in nuptiis aeternis, similiter potest celebrari festum de conceptione, non quia sit concepta, quia in peccato est concepta, sed quia mater Domini est concepta: asserentes, hoc fuisse revelatum euidam Abbatii in naufragio constituto. Quod tamen non est authenticum, unde non est approbandum, cum concepta fuerit in peccato, seu per concubitus maris et foeminae.

¹⁷ Not even by the Franciscans: Antonius Paduanus Sermo in feriam quintam in passione (Francisci Assis. et Antonii opp. ed. J. de la Haye. Lugd. 1653. fol. p. 122) reckons the Holy Virgin (as Bernard does above, note 14) for one of those, qui fuerunt sanctificati in utero. Alexander Hales. P. iii. qu. 10, membr. 2, art. 1: necesse fuit, quod b. Virgo in generatione sua contraheret peccatum a parentibus; but art. 4: Virgo ante nativitatem suam et post infusionem animae in suo corpore fuit sanctificata in utero matris suae. Bonaventura in lib. iii. dist. iii, Pars i. inquires, art. 1, first *de sanctificatione Virginis quantum ad congruentiam temporis*, and decides, qu. 1, Quod caro b. Virginis ante animationem non fuit sanctificata. Qu. 2: Quidam dicere volunt, in anima gloriosae Virginis gratiam sanctificationis praevenisse maculum peccati originalis.—Teneamus secundum quod communis opinio tenet, Virginis sanctificationem fuisse post originalis peccati contractio nem. Qu. 3: pro indubitate habet hoc Ecclesia, videlicet quod b. Virgo fuerit in utero sanctificata.—Si autem queratur, qua die vel hora sanctificata fuerit, hoc ignoratur: tamen probabilitate creditur, quod cito post infusionem animae fuerit facta infusio gratiae. Then art. ii. de virtutis efficacia; first qu. 1, B. virgo Maria per sanctificationem gratiam copiosam immunis fuit ab omni culpa actuali, tam mortali quam veniali. Qu. 2: In prima sanctificatione fuit fomes concupiscentiae in Virgine consopitus, in secunda (Luc. i. 35) extinctus et eradicatus. Qu. 3: A massa peccati liberata fuit virgo Maria in prima sancti-

nas¹⁸ seemed to have overthrown it forever, when Duns Scotus, on this point also opposing the Dominican, first of all the schoolmen, and hence timidly,¹⁹ took the immaculate conception under his protection.

ficatione, liberata etiam fuit in secunda, sed in prima fuit conformis aliis sanctificatis (viz. Jeremiah, John the Baptist) in secunda vero facta est conformis filio, quem genuit. Thus Albertus Magnus in Sent. lib. iii. dist. 3.

¹⁸ Thomas Summa theol. P. iii. qu. 27, art. 1: De sanctificatione b. Mariae, quod scilicet fuerit sanctificata in utero, nihil in Scriptura canonica traditur, quae etiam nec de ejus nativitate mentionem facit. Sicut tamen (*Pseudo-*) Augustinus in sermone de assumptione ipsius Virginis rationabiliter argumentatur, quod cum corpore sit assumpta in caelum, quod tamen Scriptura non tradit, ita etiam rationabiliter argumentari possumus, quod fuerit sanctificata in utero. Art. 2: Sanctificatio b. Virginis non potest intelligi ante ejus animationem, duplice ratione. Primo quidem, quia sanctificatio, de qua loquimur, non est nisi emundatio a peccato originali.—Culpa autem non potest emundari, nisi per gratiam, cuius subjectum est sola creatura rationalis. Et ideo ante infusionem animae rationalis b. Virgo sanctificata non fuit. Secundo quia cum sola creatura rationalis sit susceptiva culpae, ante infusionem animae rationalis proles concepta non est culpae obnoxia. Et sic quocumque modo ante animationem b. Virgo sanctificata fuisset, numquam incurrisset maculam originalis culpae, et ita non indiguisset redemptio et salute, quae est per Christum. — Hoc autem inconveniens est, quod Christus non sit salvator omnium hominum.—Si numquam anima b. Virginis fuisset contagio originalis peccati inquinata, hoc derogaret dignitati Christi, secundum quam est universalis omnium salvator.—Licit Romana Ecclesia conceptionem b. Virginis non celebret, tolerat tamen consuetudinem aliquarum Ecclesiarum illud festum celebrantium. Unde talis celebritas non est totaliter reprobanda. Nec tamen per hoc, quod festum conceptionis celebratur, datur intelligi, quod in sua conceptione fuerit sancta: sed quia, quo tempore sanctificata fuerit, ignoratur, celebratur festum sanctificationis ejus potius quam conceptionis in die conceptionis ipsius. Art. 3: Videtur dicendum, quod per sanctificationem in utero non fuerit sublatus b. Virginis fomes secundum essentiam, sed remanserit ligatus.—Postmodum vero in ipsa conceptione carnis Christi, in qua primo debuit resurgere peccati immunitas; credendum est, quod ex prole redundaverit in matrem, totaliter fomite subtracto. Art. 4: Simpliciter fatendum est, quod beata Virgo nullum actuale peccatum commisit, nec mortale, nec veniale, ut sic in ea impleatur, quod dicitur Cant. iv. 7: *Tota pulchra es amica mea, et macula non est in te.*

¹⁹ Duns Scotus in Sent. lib. iii. dist. 3, qu. 1, § 9: Deus potuit facere, quod ipsa numquam fuisset in peccato originali; potuit etiam fecisse, ut tantum in uno instanti esset in peccato; potuit etiam facere, ut per tempus aliquod esset in peccato, et in ultimo illius temporis purgaretur.—Quod autem horum trium, quae ostensa sunt esse possibilia, factum sit, Deus novit: si auctoritati Ecclesiae, vel auctoritati Scripturae non repugnet, videtur probabile, quod excellentius, attribuere Mariae. More decisive, but still short, is l. c. dist. 18, qu. 1, § 13: b. Virgo mater Dei nunquam fuit inimica actu^{re} ratione peccati actualis, nec ratione originalis (fuisset tamen, nisi fuisset praeservata). In after-times it was commonly reported among the Franciscans (Wadding ann. Minorum, ann. 1304, no. 34, Bulae hist. Univ. Paris. iv. 71), that Duns Scotus afterward defended the doctrine of the immaculate conception against 200 Dominicans in a public disputation at Paris, and thereby induced the University to decree, ne ad ullos gradus scholasticos admitteretur ullus, qui prius non juraret, se defensurum b. Virginem a noxa originaria, to which it added, votum de celebranda quotannis festivitate immaculatae conceptionis. But the earliest vouchers for this are the Franciscans Bernardinus de Bustis (about 1480) and Pelbartus Temestarius (about 1500); and the first of these in his *Mariale* places that decree in the year 1333: In the acts of the University there is no trace of it to be found. The Gallic nation in the University of Paris first decreed in the year 1380, quod a modo celebraretur festum conceptionis gloriosae V. M. eodem modo, quo et alia festa solent celebrari (Bu-

tention. Thus this doctrine, not indeed immediately, but in the course of the 14th century, together with the whole system of Scotistic divinity, was adopted as the doctrine of the Franciscans.²⁰

§ 79.

FESTIVALS.

The two most important festivals which were introduced in this period have been already considered, viz., the feast of the Conception of the Virgin in § 78, and Corpus Christi in § 77. It is, however, characteristic of this age, that from the 12th century the clergy began to connect the old heathenish license of the month of December¹ with the festivals of the Church, and under

Iacutus I. c. p. 964); and it was not till 1387 that the University declared the immaculate conception to be a sententia probabilis (see below, Div. iii. § 117, note 7), cf. d'Argentré collectio judiciorum de novis erroribus, T. i. p. 335.—It appears especially strange to the later Franciscans that their doctor subtilis is so short on this head; accordingly, they consider that his principal works on this subject must have been lost. E. g. Hugo Cavellus in vita Scotti cap. ult. prefixed to his Quaestiones.

[²⁰ The dogmatic declaration of the Immaculate Conception by Pius IX., Dec. 8, 1854, has led to a review of the whole history in various works. Cardinal Perrone de Immaculato B. V. Mariae Conceptu, Romae, 1848. Passaglia, Collection of Monuments and Authorities, in course of publication, 4 vols. 4. issued. Christ. Remembr. April, 1852. Ullathorne on Imm. Concept., Lond. 1854. Lambruschini, translated, New York, 1854. Methodist Quarterly, April, 1855. Abbé Laborde, The Impossibility of the Imm. Concept. transl. Phil. 1855. Sylloge Monumentorum ad Myst. Conc. Immac. cura Ant. Ballerini. Rom. 1855.]

¹ Cf. Saturnalia, Sigillaria, Kalendae Januarii, on the heathen celebrations of the latter day, see Isidorus Hisp. vol. i. Part 2, § 125, note 12, Bonifacius, vol. ii. Part. 1, § 4, note 13, Faustini Episc. sermo de Kal. Jan. in the Act. SS. Jan. i. 3. Atto jun. Episc. Vercellensis (about 950) serm. in festo octavae Domini (in Maji scriptt. vett. nova collectio VI. ii. 13): quidam falsi Christiani tanti diei solemnitatem sacrilega commixtione perturbant, ita ut divina officia in Ecclesiis videantur celebrare, et variis maleficiis domi non desinant inservire. From this germ the festum stultorum was developed. However, the 16th Lat. Canon of the Conc. Constantinop. oecum. viii. ann. 869, must by no means be connected with the festum stultorum, as du Fresne s. v. Kalendae thinks it should be. For the ridiculous mockery of ecclesiastical ceremonies there mentioned with detestation was only the result of the folly of the Emperor Michael III. (857–867), which Constantinus Porphyrogen. in Basilio, no. 21, Continuator Theophanis, lib. iv. no. 38, Symeon Logotheta in Michaele, no. 18, record. This was a single act, and an act of hostility against the Church. An analogous custom may be, however, discovered in that which Georgius Cedrenus, in histor. compend. ed. Paris, p. 639, relates of Theophylact, patriarch of Constantinople in the 10th century: ἔργον ἐκείνον καὶ τὸ νῦν κρατοῦν θέος, ἐν ταῖς λαρπραις καὶ δημοτελέσιν ἐόρταις ὑβρίζεσθαι τὸν θεὸν καὶ τὰς τῶν ἀγίων μνήμας διὰ λογισμάτων ἀπρεπῶν καὶ γελώτων καὶ παραφόρων κρανγῶν τελονυμένων τῶν θείων ὄντων. And afterward: τὰς Σατανικὰς ὄρχηστις καὶ τὰς ἀσήμους κρανγὰς καὶ τὰ ἐκ τριόδων καὶ χαμαιτυπείων ἡρανισμένα ἄσματα τελεῖσθαι ἐδίδαξεν.

cover of it to throw wanton ridicule on holy things.² True, many decrees were passed against this custom:³ still the disorder continued to increase.

² The first to mention this is Jo. Beleth in *Explicit. divin. offic. cap. 70*, de iis festivitatibus, quae Christi Nativitatem proxime sequuntur: Debent ergo vesperae Natalis primo integre celebrari, ac postea convenienter diaconi quasi in tripudio, cantantque *Magnificat* cum Antiphona de s. Stephano,— et universum officium crastinum celebrant Diaconi, quod Stephanus fuerit Diaconus.— Sic eodem modo omne officium perficiunt sacerdotes ipso die b. Joannis, quia hic sacerdos fuerit, et pueri in ipso festo Innocentum, quia Innocentes pro Christo occisi sunt. Cap. 72: Festum Hypodiaconorum, quod vocamus stultorum, a quibusdam perficiunt in circumeisione, a quibusdam vero in Epiphania, vel in ejus octavis. Fiunt autem quatuor tripudia post nativitatem Domini in Ecclesia, Levitarum scilicet, Sacerdotum, Puerorum, i. e. minorum aetate et ordine, et Hypodiaconorum, qui ordo incertus est. Unde fit, ut ille quandoque annumeretur inter sacros ordines, quandoque non, quod expresse ex eo intelligitur, quod certum tempus non habeat, et officio celebretur confuso. (Durantis repeats the contents of these two chapters in his *Rationale Divin. offic. lib. vii. c. 42* in fine.) Cap. 120: Restat,—ut—agamus—de quadam libertate Decembris, quae hoc tempore in quibusdam locis observatur. Sunt nempe nonnullae Ecclesiae, in quibus usitatum est, ut vel etiam Episcopi vel Archiepiscopi in coenobitis cum suis ludant subditis, ita ut etiam sese ad lusum pilae demittant. Atque haec quidem libertas ideo dicta est Decembrica, quod olim apud ethnicos moris fuerit, ut hoc mense servi et ancillae et pastores velut quandam libertate donarentur, fierentque cum dominis suis pari conditione, communia festa agentes post collectionem messium. Quamquam vero magnae Ecclesiae, ut est Remensis, hanc ludendi consuetudinem observent, videtur tamen laudabilius esse non ludere. Most remarkable for wanton mockery of ecclesiastical institutions are the festum innocentum (in the monastic schools a child-abbot, in the cathedral schools a child-bishop was chosen; in Mayence this festive custom has been continued down to modern times. Cf. F. A. Dürr, *comm. hist. de Episcopo Puerorum vulgo vom Schulbischof. Mogunt. 1755. 4.* E. Meyer's *Gesch. d. Hamburgischen Schul- und Unterrichtswesens im Mittelalter, Hamburg, 1843*), and the festum hypodiaconorum (cf. du Tiliot *mémoires pour servir à l'histoire de la fête des fous. A Lausanne et à Genève, 1751. 8. du Fresne s. v. Kalendae*). In Ratisbon the abuse was so great that Innocent IV. in 1249 issued a prohibition against it: see *Monumenta boica*, xiii. 214. Gemeiner's *Reichstadt Regensburgische Chronik, Regensb. 1800. 4. i. 357*. However, the grossest extravagances of this nature seem to belong originally to the succeeding period. In many places, for instance in Rouen, an ass-feast was celebrated on Christmas-day: elsewhere, as in Beauvais, a ceremony of the same kind was kept on the 14th of June, in commemoration of the flight into Egypt. Cf. du Fresne s. v. *Festum asinorum*. Another festival, accompanied with similar extravagances of the clergy, took place in Evreux on the 1st of May, so early as about 1200. Du Tiliot, l. c. p. 26 ss.

³ The first was in the year 1198, by Cardinal Peter, papal Legate, addressed to Odo, bishop of Paris, and published by him (ed. Petrus de Gussanvilla in Append. ad Petri Blesensis opp. and quoted from this in Bibl. Patrum Lugd. xxiv. 1370): didicimus, quod in festo circumcisio[n]is dominicae in eadem ecclesia [Parisiensi] tot consueverunt enormitates et opera flagitiosa committi, quod locum sanctum, in quo gloriosa Virgo gratam sibi mansionem elegit (the Church of Notre Dame), non solum foeditate verborum, verum etiam sanguinis effusione plerumque contingit inquinari; at eatenus adinventio tam perniciose temeritatis invaluit, ut sacratissima dies, in qua mundi Redemptor voluit circumcidisti, festum fatuorum nec immerito generaliter consueverit appellari. Thereupon, in 1199, followed Odo's directions for a proper celebration of the Circumcision of our Lord, and of the Feast of St. Stephen (quoniam festivitas b. Protomartyris Stephani ejusdem fere subjacebat dissolutionis et temeritatis incommodo); and a confirmation of these directions by Petrus Cambius, the next Bishop of Paris, in the year 1208 (both l. c.). Nev-

§ 80.

RELIGIOUS EDUCATION OF THE PEOPLE.

Schröckh, xxix. 311. G. Schmidt über das Predigen in d. Landessprachen während d. Mittelalters, in d. theolog. Studien u. Kritiken, 1846, ii. 243. Deutsche Predigten des xii. und xiii. Jahrhh., herausg. v. K. Roth, Quedlinb. u. Leipz. 1839. Deutsche Predigten des xiii. u. xiv. Jahrh., herausg. v. H. Leyser, ebendas. 1838, Vorwort S. xiii. [Mediæval Sermons, Christ. Remembr. July, 1854. De l'instruction publique au moyen age, Stallaert and Van Der Haeghen, a memoir issued by the Belgian Academy in 1854.]

In comparison with ecclesiastical pageantry, preaching, the more spiritual part of divine worship, was either quite abandoned, or managed in a very unprofitable manner. Most of the sermons of the 12th century were short homilies full of allegorical and mystical interpretations; they were often nothing more than stiff translations from some Latin Homiliarium. Accordingly, the wandering preachers of repentance and crusades made all the more impression on the people. The most distinguished preacher of this century is St. Bernard.¹

ertheless, the Council of Paris ann. 1212, Pars iv. c. 16 (in Mansi xxii. 842), found it necessary to enjoin even on the bishops: *A festis vero follarum, ubi baculus accipitur, omnino abstineatur. Idem fortius monachis et monialibus prohibemus.* The first sentence is repeated by Robertus Legatus in Conc. Rotomag. ann. 1214, P. iii. c. 16 (Mansi xxii. 920).—Innocent III. in the year 1210 (Decr. Greg. lib. iii. tit. i. cap. 12): *Interdum ludi fiunt in Ecclesiis theatrales, et non solum ad ludibriorum spectacula introducuntur in eis monstra larvarum, verum etiam in aliquibus anni festivitatibus, quae continue natalem Christi sequuntur, diaconi, presbyteri, ac subdiaconi vicissim insaniae suae ludibria exercere praesumunt; per gesticulationum suarum debacchationes obscoenas in conspectu populi decus faciunt clericale vilescere, etc.* Statuta Eccl. Nivernensis, ann. 1246, cap. 3 (Martene thes. anecd. iv. 1069, Mansi xxiii. 731): *Quia in festo stultorum, scil. Innocentium et anni novi, in Ecclesia vestra multa fiunt—in honesta, sub poena excommunicationis inhibemus districte, ne talia festa irrisoria de cactero facere praesumant.* Constitt. Petri Archiep. Burdegalensis in Conc. Copriniacensi ann. 1260, cap. 2 (Mansi xxiii. 1033): *Cum in balleatione (dance) quae in festo ss. Innocentium in quibusdam Ecclesiis fieri inolevit, multae rixae, contentiones et turbationes—consueverint provenire, praedictas balleationes ulterius sub intimatione anathematis fieri prohibemus, necnon et Episcopos in praedicto festo creari: cum hoc in Ecclesia Dei ridiculum existat, et hoc dignitatis episcopalis ludibrio fiat.* Since these prohibitions were found fruitless, they became at last more complying. Conc. Salzburgense ann. 1274, cap. 17: *Ad haec quidam ludi noxii, quos vulgaris elocutio episcopatus puerorum appellat, in quibusdam Ecclesiis exercentur adeo insolenter, quod nonnunquam enormes culpae et damna gravia subsequuntur.* Ex ipsis hos ludos in Ecclesiis et a personis ecclesiasticis de caetero fieri prohibemus, nisi forte parvi sexdecim annorum et infra fuerint, qui hujusmodi ludos exercent, quibus alii seniores ipsi nullatenus se misceant aut intersint. Ordinationes Joannis Cantuar. Archiep. in dominibus religiosis, ann. 1279 (Mansi xxiv. 264): *Puerilia solemnia, quae in festo solent fieri Innocentum, post vesperas s. Joannis tantum inchoari permittimus, et in crastino in ipsa die Innocentum totaliter terminentur.*

¹ Schmidt, as cited above. S. 258.

From the heretics of Southern France, Peter of Bruis, Henry, and the Waldenses,² the common people first heard sermons which brought before them the simple doctrines of Christianity intelligibly and impressively: accordingly, they met with great success. It was probably their example which actuated Fulco, pastor of Neuilly, in the bishopric of Paris († 1202),³ whose exhortations to repentance and morality had the more powerful effect, from the strangeness of such spiritual admonitions to the people. In particular, the first two mendicant orders were roused to action by them;⁴ for the Franciscans adopted into the service of the Church those very peculiarities by means of which the heretics made so great an impression: they went forth among the people with an intelligible and animated style of preaching; while the Dominicans likewise, in addresses to the common people, made the extinction of heresy their principal aim. Although the Franciscans, as tools of the Pope, soon became for the most part untrue to their original purpose, still from time to time the ancient enthusiasm reappeared among them in popular preaching; as, for instance, in the Franciscan David at Augsburg (about the year 1250),⁵ and his pupil Berthold at Ratisbon († 1272).⁶

² See below, § 87 and 88.

³ Jacobi a Vitriaco hist. occident. c. 6: *In diebus illis suscitavit Deus caeli spiritum eujusdam sacerdotis ruralis, simplicis valde et illiterati, de episcopatu Parisiensi, nomine Fulconis. Sicut enim pescatores et idiotas elegit, ut gloriam suam alteri non daret: sic Dominus eo quod parvuli petissent panem, literati autem circa disputationes vanitatis et pugnas verborum intenti, frangere non curabant, praedictum Presbyterum tanquam stellam in medio nebulae, et pluviam in medio siccitatis,—ad vineam suam excolendam misericorditer elegit.*—He made his appearance as a preacher in Paris, cap. 8, et exinde alii tam doctores quam discipuli ad ejus rudem et simplicem prædicationem concurrebant. Alter alterum invitabat,—dicentes: *Venite et audite Fulconem presbyterum, tanquam alterum Paulum.* Ipse autem confortatus in Domino—coepit vitiorum monstra fortiter adminiculante Domino prosternere. On the effect of his preaching: *Publicae meretrices capillos scindentes consuetam turpitudinem abnegabant.* Sed et alii peccatores Sathanæ et pompis ejus cum lacrimis renunciantes, ab ipso veniam postulabant. He soon acquired fame as a worker of miracles. In omnem autem Christianorum terram exivit sonus prædicationis ipsius, et fama sanctitatis ejus divulgabatur ubique. Sed et discipuli ejus, quos ad prædicandum mittebat, velut Apostoli Christi, cum summo honore et reverentia recipiebantur ab omnibus. His example was followed by many (cap. 9); but there rose up false preachers also, who desired nothing but their own advancement (cap. 10). Radulphi Abb. Coggeshalensis (after 1207) chron. Anglicanum, in Rerum Gallicarum et Francicarum scriptt. (begun by Bouquet, continued by Brial) xviii. 80. Wilken's Gesch. d. Kreuzzüge, Th. 5, s. 93.

⁴ See above, § 68.

⁵ See deutsche Mystiker des 14. Jahrh., herausgeg. von F. Pfeiffer. Bd. 1 (Leipzig, 1845), s. 309. Einleit. s. xxvi.

⁶ Concerning him see especially Joannes Vitoduranus (a Franciscan † 1348) in chron.

The religious education of the people remained limited as before.⁷

§ 81.

ART EMPLOYED IN THE SERVICE OF THE CHURCH.

The progress of the poetic art in Germany since the 12th century bore much fair fruit of popular sacred poetry (called Leisen from *Kyrie Eleison*, the common ending of the verses).—They were indeed for the most part hymns to the Virgin; but so early as the 13th century the Easter hymn, *Christ is risen*, and the Whitsuntide hymn, *Now we pray the Holy Ghost*,¹ were in existence; while the enthusiastic spirit of St. Francis of Assisi, still lingering in his order, gave birth to the sequences² of the *Dies irae*³

ad ann. 1265 (in *Thesaurus historiae Helvetiae*. Tiguri, 1735. fol. p. 6): Circiter ista tempora floruit frater Bertoldus Ordinis Fratrum minorum in Alamania egregius praedicator, qui circumendo et perambulando frequenter Alamaniam ipsam mirabiliter illustravit, et peccatores innumerous verbo et exemplo pariter ad Dominum convertebat, cuius memoria in benedictione est, et adhuc recentissima meo tempore perseverat in hominibus. In campis saepius solebat praedicare, et tunc populus ex omnibus partibus finitimiis et locis circumadjacentibus in maxima multitudine confluebat.—Ipse fuit linguae disertae, vitae sanetae, magnae literatura, sicut adhuc evidenter appetet et patet in diversis voluminiibus ab eo compilatis sermonum, quos rusticanos appellari voluit. In suis praedicationibus peccatores inveterati, obstinati ac sceleratissimi surrexerunt aperte peccata sua confitentes, et vitam turpem practeritam abdicantes, veniamque postulant, et satisfactionem ac emendam dignam promittentes.—Post mortem suam in civitate Bavariae dieta Ratispona, in qua, ut fertur, natus et alitus erat, multis multo tempore coruscavit miraculis in loco Fratrum minorum, ubi sepultus est. Cf. Wadding ad ann. 1272, no. 16. Matth. Raderi *Bavaria sancta* (Tomi iv. Monach. 1704. fol.), i. 293. Müller's *Schweizergeschichte*, i. 530. Berthold's *Stammtafel b.* Roth a. a. O. s. 80. Mons's *Anzeiger*, 7r Jahrg. (1838) s. 218.—See also Berthold the Franciscan's German sermons, some entire, some in abstract, published (from a manuscript at Heidelberg) by Ch. Friedr. Kling, Berlin, 1824. 8. Comp. J. Grimm's remarks in the *Wiener Jahrbücher* (1825), xxxii. 194, where Berthold's life, activity, and preaching are fully treated of, and some other manuscripts of sermons are authenticated as his. Comp. Leyser Vorw. s. xvi.—At the same time lived also the unknown monk, to whom the German sermons of the 13th century published by Grieshaber, Part I. Stuttg. 1844, are to be referred.

⁷ Statuta synodalia Richardi Cicestrensis Episc. ann. 1246 (*Mansi xxiii. 714*): Volamus, ut a propriis sacerdotibus laici moneantur, ut orationem dominicam, et symbolum Apostolorum addiscant (see Div. I, § 10, note 29), et salutatione b. Virginis; et hacc sacerdotes parochianos in lingua saltem materna diligenter et frequenter doceant. Compare Odonis Ep. Paris praecepta, above, § 78, note 12.

¹ H. Hoffmann's *Gesch. d. deutschen Kirchenliedes bis auf Luther's Zeit*. Breslau, 1832, s. 38.

² The *Sequentia*, properly the chant following the halleluiah in the mass, afterward in general the choral music introduced in the mass.

³ By Thomas of Cellano, the companion of St. Francis, see above, § 68, note 3. Compare Mohnike, *Kirchen und literarhistor. Studien* (Stralsund, 1824), I. i. 3.

and *Stabat mater*.⁴ From the representation of the events of sacred history, as they were brought forward in the churches, on their appropriate festivals, with antiphonal chants and simple ceremonies, there were developed in the 13th century regular ecclesiastical dramas (called mysteries) : the plots were derived partly from Bible history, partly from the legends of Saints.⁵ With regard to the art of ecclesiastical architecture, which had been greatly improved since the 11th century, particularly by the monks, the pointed style remarkable for its sublimity grew up in Germany in the 13th century, and found in the Masonic Society, which took its rise at the same time, its guardians.⁶ The Cathedral of Magdeburg of the date 1208, the Church of St. Elizabeth at Marburg (in 1230), the Cathedral of Cologne since 1248, became the most eminent types of this new style of church architecture.

§ 82.

KALEND-GUILDS.

Das Gildenwesen im Mittelalter, von Dr. W. E. Wilda, Berlin, 1831.

In the course of the 12th and 13th centuries the Trades-guilds¹ grew up ; besides furthering their especial ends, their office was to promote the honor, harmony, and mutual support of their associates ; they venerated particular saints as their patrons, and from time to time united in common worship and social festivals. Following their example, the clergy of Northern and Central Germany, in the 13th century, extended their decanal unions, which held their meetings on the Kalends, to Kalend-guilds,² which in-

⁴ By Jacoponus, see above, § 70, note 14, and Mohnike, I. ii. 335, as cited above.

⁵ Schauspiele des Mittelalters, herausg. u. erklart v. F. J. Mone, 2 Bde. Karlsruhe, 1846. *Etudes sur les mystères dramatiques et sur divers manuscrits de Gerson*, par Onésime Leroy, Paris, 1840.

⁶ Chr. Ludw. Stieglitz Gesch. d. Baukunst in 3 Abtheil. 2te Ausg. Nürnberg, 1837. Die Bauhütte des Mittelalters in Deutschland, von C. Heideloff. Nürnberg, 1844. 4. J. Kreuser's Kolner Dombriefe, oder Beiträge zur altchristl. Kirchenbaukunst. Berlin, 1844.

¹ Wilda, s. 228.

² Wilda, s. 352. The earlier works on the Kalend-guilds give much information on their statutes and on the grants they received, but none on their origin. There are many of these extant on some particular guilds. These are of more general purport : Joach. Felleri diss. de Fratribus Kalandariis, notis illustrata a Christ. Franc. Paullini, Francof. ad M. 1692. 4. Chr. G. Blumberg's Abbildung des Kalandes, Chemnitz, 1721. 12.—Just as the monasteries granted to their benefactors a share in their good works, and promised them prayers and masses for their souls, so the same may have been done in early times

cluded the laity also, both men and women, and imposed on themselves an especial obligation to prayer and masses for living and dead members.³ When the tertiary orders and fraternities of the mendicant friars drew the laity in masses to themselves, by the promise of greater spiritual advantages, the Kalends were more zealously extended by the secular clergy,⁴ in order to preserve ad-

by these associations of secular clergy, until at last they united such beneficent laymen with themselves after the manner of a guild. The ancient organization of these unions as regular meetings for spiritual exercises and repasts (see Div. I, § 8, note 9) remained unaltered. The head of every Kalend-guild was the dean; the spiritual members (the Kalend-masters) deliberated continually apart from the laity (the common Kalend-fellows) on the affairs of the Church. Thus, after the Reformation, guilds of this nature could be here and there retained, after the separation of the lay brothers, in the form of synods, as boards of ecclesiastical inspection. In this manner the Kalend-guild at Münsterdorf, in Holstein, was changed by King Christian III. in the year 1544 into an evangelical consistory, properly into a synodal union with consistorial rights; it received from that time the name of a Consistory, but in the language of the people continued to be called a Kalend. (See Schroder's *Gesch. d. Münsterdorfschen Consistoriums*, in Michel-sen's u. Assmussen's *Archiv f. Staats- u. Kirchengesch. d. Herzogthumer Schleswig, Holstein, Lauenburg*, ii. 23.) Thus the landgrave, Philip the Munificent, in the year 1565 restored the Kalend-guild in Friedberg as a synodal union of Wetteraw (*Kuchenbecker's analecta Hassiaca, collectio v. 123*), while at the same time he designated it in his decree as a rural chapter, convent, synod, or kalend. As these Kalend-guilds grew more common, they certainly were not always united to the rural chapters, and very many Kalends formed themselves in the towns; in these cases, accordingly, they had no hierarchical rights.—The meetings on the Kalends of every month seem to have been already given up in the ancient, purely spiritual association: the Kalend-guilds commonly met but twice in the year. Hence we may conclude that the name Kalend was in use in earlier times for those decanal unions, and has only devolved by inheritance on the Kalend-guilds.

³ Johannes de Indagine, a Carthusian in Erfurt and Eisenach, about the year 1450, de societate Kalendarum (MS. in the Paulinerbibliothek at Leipzig, quoted in Jo. Felleri diss. de fratr. Kalend. p. 28 and 29): *Kalendae sunt societates religiosae, e calo, i. e. convoco, quod convenient se mutuo homines ad communicandum bona sua mutuo, et ad subveniendum animabus defunctorum.*—*Habent (fratres Kalendarum) amicalem quandam societatem, in qua communiter vivunt, et certis temporibus convenient communicando bona spiritualia, et se mutuo in caritate corrigendo sine coercitione potestativa, et sine novo habitu, et hinc licita sunt sine auctoritate Papae, quamquam expediat, ut societas Fratrum de Kalendis auctoritate Episcopi alicujus confirmetur.*—*Est tamen haec fraternitas spiritualis boni, et ratione spiritualium suffragiorum, quamvis convenient certis diebus ad convivia, vel collationes et potationes, quia spiritualia esse omnino non possunt sine temporalibus.*

⁴ In the 13th century there were but few Kalends in existence. The oldest known is that at Ottburg, near Hoxter, from which Chr. Fr. Paullini, in the chron. Ottbergense, p. 174 (in his *Syntagma rer. Germ. Francof. ad M. 1698. 4*), quotes a document dated so far back as 1226. The most ancient Kalend in the city of Brunswick was founded in 1265: the brothers called themselves fratres de collegio sacerdotalis fraternitatis s. Spiritus (Rehmeye's *Kirchenhistorie d. Stadt Braunschweig*, i. 150). The Kalend in Colberg was founded in 1267 (Fortg. Sammlung v. alten u. neuen theologischen Sachen, 1735, s. 251). Even in Mecklenburg, Kalends were to be found so early as the 13th century (J. Wiggers *Kirchengesch. Mecklenburgs, Parchim und Ludwigslust*, 1840, s. 79). But the greatest number of Kalend-guilds originated in the 14th and 15th centuries. They spread themselves also into Denmark (Wilda, s. 353), Hungary, and France (Feller de fratr. Kal. p. 21).

herents from among the laity to themselves, in opposition to those adherents of the Mendicants. However, the new Kalends, as well as the old, soon fell into evil repute for their riotous revels.⁵

SIXTH CHAPTER.

ALTERATIONS IN CHURCH DISCIPLINE, AND THEIR NEW DOCTRINAL FOUNDATIONS.

§ 83.

CONFESSION.

Jo. Morini commentarius hist. de disciplina in administratione sacramenti poenitentiae. Paris, 1651. Antverp. 1682. fol. Jo. Dallaei disp. de sacramentalis s. auriculari Latinorum confessione. Genev. 1661. 4. [Prof. Dr. F. W. H. Wasserschleben, die Bussordnungen der abendlandischen Kirche, nebst einer rechtgesch. Einleitung. Halle, 1851.]

Open sins cut men off from the Church, and made the mediation of the priest necessary. On the other hand, in the beginning of this period, confession of secret sin was not yet required as an indispensable condition of forgiveness,¹ but only recommended as

⁵ Thence the proverb, ein grosser Kalend, d. i. a great revel (Rehtmeyer, i. 152). kalenderen, bunte Kalender machen, d. i. join in banquets (Paullini chron. Ottberg, p. 176).

¹ See above, Div. i. § 19, note 3. Lanfrancus de celanda confessione (Opp. ed. d'Achéry, p. 381) : de occultis omni ecclesiastico Ordini confiteri debemus, de apertis vero solis convenit sacerdotibus, per quos Ecclesia quae publice novit solvit et ligat.—Sin nec in Ordinibus ecclesiasticis cui confitearis invenis, vir mundus ubique sit requiratur.—Quodsi nemo cui confitearis invenitur, ne desperes, quia in hoc Patrum convenienti sententiae, ut Domino confitearis. Abaelardi ethica, c. 25 (Pezii anecdot. III. ii. 675), where it is shown : *Quod nonnunquam confessio dimitti potest.* We should especially compare on this head the two universal teachers of this age, Gratian and Peter Lombard. The former in Tractatus de poenitentia (P. ii. causa 33, qu. 3) dist. 1, at the very beginning starts the question : Utrum sola cordis contritione et secreta satisfactione absque oris confessione quisque possit Deo satisfacere ? with the remark : Sunt enim, qui dicunt, quemlibet criminis veniam sine confessione facta Ecclesiae et sacerdotali judicio posse promereri, juxta illud Ambrosii super Lucam ad cap. 22, etc. He gives the authorities for this opinion, can. 1-37, and supports it himself ; e. g. ad can. 34. Hinc etiam, ut Dominus ostenderet, quod non sacerdotali judicio, sed largitate divinae gratiae peccato emundatur, leprosum tangendo mundavit, et postea sacerdoti sacrificium ex lege offerre praecepit. Lepronus enim tangitur, cum respectu divinae pietatis mens peccatoris illustrata compungitur.—Leprosus semetipsum sacerdoti repraesentat, dum peccatum suum sacerdoti poenitens confitetur. Sacrificium ex lege offert, dum satisfactionem Ecclesiae judicio sibi impositam factis exsequitur. Sed antequam ad sacerdotem perveniat, emundatur, dum per

conducive to amendment. Neither was a power of absolution² attributed to the priest; and accordingly it was believed that laymen also might hear confessions.³ In the 12th century, after that confession was reckoned among the sacraments (see above, § 77,

contritionem cordis ante confessionem oris peccati venia indulgetur. He thus closes this first division, ad can. 37: *Fit itaque confessio ad ostensionem poenitentiae, non ad impenitrationem veniae.* Then he introduces, can. 38–89, the arguments of those who asserted, *sine confessione oris et satisfactione operis neminem a peccato posse mundari, si tempus satisfaciendi habuerit;* but he shows, ad can. 87, that there was no plain proof from the authorities alleged, *latentia peccata sacerdoti necessario confitenda, et ejus arbitrio expienda.* However, he says at the end, ad can. 89: *Cui harum (sententiarum) potius adhaerendum sit, lectoris judicio reservatur.* Utraque enim fautores habet sapientes et religiosos viros. Peter Lombard treats of these same questions, Sent. lib. iv. dist. 17: *Primo quaeritur, utrum absque satisfactione et oris confessione per solam cordis contritionem peccatum alicui dimittatur: secundum, an aliquando sufficiat confiteri Deo sine sacerdote: tertio, an laico fideli facta valeat confessio.* In his enim etiam docti diversa sentire inveniuntur, quia super his varia ac paene adversa tradidisse videntur Doctores. On the second question he unfolds the reasons on both sides, but he gives as his own decision, *oportere Deo primum, et deinde sacerdoti offerri confessionem, nec aliter posse perveniri ad ingressum paradisi, si adsit facultas.*

² This is proved by the fact that down to the 13th century the priests made use of the *forma absolvendi deprecatoria* alone. Similar *Orationes ad dandam poenitentiam* may be found in the old Roman Poenitentiaries in Canisii lectt. ant. ed. Basnage. II. ii. 122, and Eus. Amort de origine indulgentiarum, Aug. Vind. 1735, p. 17, e. g. the person making confession says: *Obnixe etiam te, Sacerdos Dei, exposco, ut intercedas pro me et pro peccatis meis ad Dominum Deum nostrum, quatenus de his et aliis omnibus sceleribus meis veniam et indulgentiam per merita et intercessiones omnium Sanctorum assequi merear.* *Tunc dicat sacerdos:* Misereatur tui omnipotens Deus, et dimittat tibi omnia peccata tua, liberet te ab omni malo, conservet te in omni bono, et perducat nos pariter Jesus Christus filius Dei in vitam aeternam. Ab omni malo custodiat nos omnipotens Dominus. Cf. Morinus I. c. lib. viii. c. 8–13. Peter Lombard denotes the transition to the later opinion, Sent. lib. iv. dist. 18: *Hoc sane dicere ac sentire possumus, quod solus Deus dimittit peccata et retinet: et tamen Ecclesiae contulit potestatem ligandi et solvendi. Sed aliter ipse solvit vel ligat, aliter Ecclesia.* Ipse enim per se tantum dimittit peccatum, quia et animam mundat ab interiori macula, et a debito aeternae mortis solvit. Non autem hoc sacerdotibus concessit, quibus tamen tribuit potestatem solvendi et ligandi, i. e. *ostendendi homines ligatos vel solutos.* Unde Dominus leprosum sanitati prius per se restituit, deinde ad sacerdotes misit, quorum judicio ostenderetur mundatus.—Quia etsi aliquis apud Deum sit solitus, non tamen in facie Ecclesiae solitus habetur, nisi per judicium sacerdotis. In solvendis ergo culpis vel retinendis ita operatur sacerdos evangelicus et judicat, sicut olim legalis in illis, qui contaminati erant lepra, quae peccatum signat. Unde Hieronymus super Matth. xvi. 19: *Hunc, inquit locum quidam non intelligentes, etc.* (See vol. i. Div. 2, § 104, note 29.) Compare Stephanus Obazinensis, below, § 84, note 6.

³ Petrus Lomb. Sent. lib. iv. dist. 17, de tertio articulo (see above, note 1, at the end), decides with reference to the pretended work of Augustine de vera et falsa poenitentia: *Sacerdotis examen requirendum est studiose, quia sacerdotibus concessit Deus potestatem ligandi atque solvendi, et ideo quibus ipsi dimittunt, et Deus dimittit.* Si tamen defuerit sacerdos, proximo vel socio est facienda confessio. Albertus M. in Sent. lib. iv. dist. 17, art. 58 and 59, absolutely declares this confession to be sacramental. He distinguishes in art. 58 five kinds of potestas absolvendi. The fourth is ex officio ministrorum, concessa sacerdotibus. Et ultima ex unitate fidei et caritatis, et hac pro necessitatibus articulo descendit in omnem hominem ad proximo subveniendum: et hanc potestatem habet laicus in articulo necessitatis.

note 19, ss.), the contrary views began to gain ground,⁴ first as opinions, and afterward got the ascendancy in the Church by virtue of the decree of Innocent III., which imposed by law an annual confession to the parish priest.⁵ From that time forth the confessional began to be considered as the alone means of obtaining forgiveness for mortal sin,⁶ which the priest, as the representa-

⁴ They were principally supported by the work *de vera et falsa poenitentia*, fathered upon Augustine in the 11th or 12th century (in Append. tom. vi. of the Benedictine edition), which has passed almost entire both into the *decretal of Gratian*, and the *sentences of Lombard*, and so has been frequently quoted by all the schoolmen. Compare here the exhortations to confess often, and confess all sins, then § 25: *quibus sacerdotes remittunt, remittit Deus; potestas solvendi concessa sacerdotibus*: In cases of necessity a man might, indeed, confess to a layman, for *Dei misericordia est ubique, qui et justis novit parcere, etsi non tam cito, sicut si solverentur a sacerdote*. Last comes the theory: *sit per confessionem veniale, quod criminale erat in operatione s. mortale*. § 34: *prius purgandus est igne purgationis, qui in aliud saeculum distulit fructum conversionis*.—Quacdam enim peccata sunt, quae sunt mortalia, et in poenitentia fiunt venialia, non tamen statim sanata, etc.

⁵ Conc. Later. IV. ann. 1215, can. 21: *Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata confiteatur fideliter, saltem semel in anno, proprio sacerdoti, et injunctam sibi poenitentiam studeat pro viribus adimplere, suscipiens reverenter ad minus in Pascha eucharistiae sacramentum: nisi forte de consilio proprii sacerdotis ob aliquam rationabilem causam ad tempus ab ejus perceptione duxerit abstinentium: alioquin et vivens ab ingressu Ecclesiae arceatur, et moriens christiana caret sepultura*.—*Si quis autem alieno sacerdoti voluerit justa de causa sua confiteri peccata, licentiam prius postulet et obtineat a proprio sacerdoti, cum aliter ille ipse non possit solvere vel ligare*. Sacerdos autem sit discretus et cautus, ut more periti medici superinfundat vinum et oleum vulneribus sauciati: diligenter inquirens et peccatoris circumstantias et peccati, per quas prudenter intelligat, quale illi consilium debeat exhibere, et cuiusmodi remedium adhibere, diversis experimentis utendo ad sanandum aegrotum. Caveat autem omnino, ne verbo, vel signo, vel alio quovis modo prodat aliquatenus peccatorem, sed si prudentiori consilio indigerit, illud absque ulla expressione personae caute requirat: quoniam qui peccatum in poenitentiali judicio sibi detectum praesumpserit revealare, non solum a sacerdotali officio deponendum decernimus, verum etiam ad agendum perpetuam poenitentiam in arctum monasterium detrudendum.

⁶ Compare particularly Thomas in *Summa theol.* p. iii. qu. 84-90, and *Supplementum tertiae partis*, qu. 1-20. Especially Suppl. p. iii. qu. 6, art. 1, on the question: *Utrum confessio sit necessaria ad salutem?* *Passio Christi, sine cuius virtute nec originale nec actualpeccatum dimittitur, in nobis operatur per sacramentorum suspicionem, quae ex ipsa efficaciam habent*. Et ideo ad culpac remissionem, et actualis, et originalis, requiritur sacramentum Ecclesiae, vel actu suspectum, vel saltem voto, quando articulus necessitatis, non contemptus, sacramentum excludit: et per consequens illa sacramenta, quae ordinantur contra culpam, cum qua salus esse non potest, sunt de necessitate salutis. Et ideo sicut baptismus, quo deletur originale, est de necessitate salutis, ita et poenitentiac sacramentum. Sicut autem aliquis per hoc, quod baptismum petit, se ministris Ecclesiac subjicit, ad quos pertinet dispensatio sacramenti: ita etiam per hoc, quod confitetur peccatum suum, se ministro Ecclesiae subjicit, ut per sacramentum poenitentiae ab eo dispensatum remissionem consequatur: qui congruum remedium adhibere non potest, nisi peccatum cognoscat, quod fit per confessionem peccantis. Et ideo confessio est de necessitate salutis ejus, qui in peccatum actualle mortale cecidit. Art. 3: *Utrum omnes ad confessionem tenentur?* Ad confessionem dupliciter obligamur. Uno modo ex jure divino, —et secundum hoc non omnes tenentur ad confessionem, sed illi tantum, qui peccatum

mortale incurruunt post baptismum. Alio modo ex praeecepto juris positivi, et sic tenentur omnes ex institutione Ecclesiae, edita in Concilio generali sub Innocentio III. (see above, note 5).—Ex vi sacramenti non tenetur aliquis venialia confiteri, sed ex institutione Ecclesiae, quando non habet alia quae confiteatur. Qu. 10, art. 2: *Utrum confessio liberet aliquo modo a poena?* Confessio simul cum absolutione habet vim liberandi a poena dupliciter. Uno modo ex ipsa vi absolutionis, et sic quidem liberat in voto existens a poena aeterna, sicut etiam a culpa: quae quidem poena est poena condemnans, et ex toto extermans: a qua homo liberatus, adhuc manet obligatus ad poenam temporalem, secundum quod poena est medicina purgans et promovens: et sic haec poena restat in purgatorio patienda etiam his, qui a poena inferni liberati sunt.—Alio modo diminuit poenam ex ipsa natura actus confitentis, qui habet poenam erubescientiae annexam: et ideo quanto aliquis pluries de ipsis peccatis confitetur, tanto magis poena minuitur. Still there was at first a consciousness in the Church that these determinations were new, cf. Glossa. ad tract. de poenitentia (i. e. Gratiani Decret. p. ii. caus. 33, qu. 3), dist. v. at the title, on the question: *Quando oris confessio fuerit instituta?* Dicunt quidam institutam fuisse in paradiiso (to wit, Gen. iii. 9).—Alii dicunt, quod sub lege fuit primo instituta, quando Josua praecepit Achan crimen suum confiteri (Jos. vii. 19). Sed melius dicitur, eam institutam fuisse a quadam universalis Ecclesiae traditione potius, quam ex novi vel veteris Testamenti auctoritate.—Ergo necessaria est confessio in mortalibus apud nos, apud Graecos non, quia non emanavit apud illos traditio talis.—Illud ergo Jacobi: *Confitemini alterutrum peccata vestra* (Jac. v. 16) fuit consilii primo: alioquin ligaret et Graecos non obstante eorum consuetudine. Further, Bonaventura in Sent. lib. iv. dist. 17, p. 2. Exposit. textus on Lombard's words, *Quibusdam visum est sufficere, si soli Deo fiat confessio*: Quaeritur hic, utrum tales fuerint haereticici. Et quod non, videtur, quia Magister recitat hoc tamquam opinionem probabilem. Sed contra hoc est, quia negans confessionem negat absolutio- nem, ac per hoc negat clavium virtutem, et ita manifeste est contra Scripturam, et ita contra fidem. *Resp.* Dicendum, quod si quis esset modo hujus opinionis, esset haereticus judicandus, quoniam in concilio generali hoc determinatum est sub Innocentio III. Sed ante hanc determinationem hoc non erat haeresis, quia ipsi non negabant clavium potestatem, sed negabant necessitatem: et bene concedebant, quod utile erat confiteri, et sacerdotes poterant absolvere. Ideo Magister et Gratianus in Decretis hoc referunt tanquam opinionem: tamen uterque (?) improbat hoc, et determinat in contrarium. Et si quis pertinaciter assereret contrarium, esset haereticus judicandus.—On the other hand, already says Duns Scotus in Sent. lib. iv. dist. 17, qu. 1: Si teneatur, quod confessio non cadit nisi sub praeecepto Ecclesiae, non potest faciliter comprobari, nisi quia vel Ecclesia non attentasset tam arduum praeeceptum imponere omnibus Christianis, nisi esset praeeceptum divinum, vel quia non inventitur, ubi ab Ecclesia imponatur istud praeeceptum, quin ante hoc Sancti reputarent, hoc praeeceptum de confessione obligare. With regard to the Cap. *Omnis utriusque sexus* (see note 6), ante illud tempus per multos annos fuit Augustinus plus quam per octingentos annos, qui praedicavit confessionem valde esse necessariam: ut patet in libro suo *de vera et falsa poenitentia* (see above, note 4). Then he endeavors to refute the Gloss ad tract. de poen. dist. v. (see above); (for instance, in reference to the Greeks he says: *multas laudabiles consuetudines omiserunt, ex quo ab Ecclesia recesserunt, et istam non solum laudabilem, sed etiam necessariam, potuerunt omittere*); and he concludes: *Breviter, videtur rationabilius tenere, quod confessio cadat sub praeecepto divino positivo.*—Confession was universally believed to be indispensably necessary only for the forgiveness of mortal sins: with reference to venial sins, the judgment of St. Augustine quoted by Lombard, lib. iv. dist. 16, was received (see vol. i. Div. 2, § 104, note 29): *De quotidianis levibusque peccatis, sine quibus haec vita non ducitur, quotidiana oratio fidelium satisfacit.* Duns Scotus ad lib. iv. dist. 17, qu. 1, § 24, accordingly, controverts those (among others also Thomas Aquinas, see above, Suppl. P. iii. qu. 6, art. 3) who asserted that if a man was guilty of no deadly sin, propter praeeceptum Ecclesiae tenetur in illo casu ad venialium confessionem, and even lays down the proposition: *Nec aliquis tenetur ad aliquam contritionem de venialibus: immo in actuali voluntate vel actu venialis moriens salvabitur, vapulabit tamen.*

tive of God, actually granted,⁷ and which he alone could grant.⁸

⁷ Against Lombard's opinion (see above, note 2), sacerdotes non habere potestatem ligandi atque solvendi, sed ostendendi homines esse solutos, sive ligatos, Richardus a.s. Victore wrote in the tract. de potestate ligandi et solvendi, cap. 12 (following the view of Hugo a.s. Victore de Sacram. lib. ii. Pars. xiv. c. 8), and calls it, sententiam tam frivolum, ut ridenda videatur potius, quam refellenda. However, even Richard was just as little satisfactory to later writers, for he only attributes to the priests, potestatem remittendi peccata, quantum ad liberationem poenae, while he reserves for God alone, liberationem a culpa per gratiam divinitus infusam. On the other hand, Thomas in Summa, suppl. P. iii. qu. 18. art. 1: *Utrum potestas clavium se extendat ad remissionem culpe?* Virtus clavium operatur ad culpae remissionem—sicut et aqua baptismi. Sed sicut baptismus non agit sicut principale agens, sed sicut instrumentum, non quidem pertingens ad ipsam gratiae susceptionem eusandam etiam instrumentaliter, sed disponens ad gratiam, per quam fit remissio culpe: ita est de potestate clavium. Unde solus Deus remittit per se culpam, et in virtute ejus agit instrumentaliter baptismus, ut instrumentum inanimatum; et sacerdos, ut instrumentum animatum.—Et sic patet, quod potestas clavium ordinatur aliquo modo ad remissionem culpe, non sicut causans, sed sicut disponens ad eam. Unde si ante absolutionem aliquis non fuisset perfecte dispositus ad gratiam suscipiendam, in ipsa confessione et absolutione sacramentali gratiam consequeretur, si obicem non poneret. Accordingly, he explains the power of priests to remit sins, *secundum opinionem, quae sustinetur communius*, to this effect, ut significant divinam operationem ad remissionem culpe praesentem, et ad ipsam aliquid dispositivo et instrumentaliter operentur. Art. 2: *Utrum sacerdos possit remittere peccatum quoad poenam?* Illi, qui per contritionem consequutus est remissionem peccatorum, quantum ad culpam, et per consequens quantum ad reatum poenae aeternae, quae simul cum culpa dimititur ex vi clavium, ex passione Christi efficaciam habentium, augetur gratia, et remittitur temporalis poena, cuius reatus adhuc remanserat post culpe remissionem: non tamen tota, sicut in baptismo, sed pars ejus.—In baptismio—fit per gratiam baptismalem novus homo, et ideo nullus reatus poenae in eo remanet pro praecedenti peccato. Sed in poenitentiis homo non mutatur in aliam vitam, quia non est regeneratio, sed sanatio quaedam: ideo ex vi clavium—non tota poena remittitur, sed aliquid de poena temporali, cuius reatus post absolutionem a poena aeterna remanere potuit. Accordingly, in Thomas's time the *forma absolvendi deprecatoria* (see above, note 2) was changed into the *indicativa*: *Ego absolvo te, &c.* Still, Guilelmus ep. Paris. († 1249) de sacramento poenitentiae, says toward the end: neque more judicum forensium pronunciat Confessor: *absolvimus te, non condemnamus*; sed magis orationem facit super eum, ut Deus absolutionem et remissionem atque gratiam sanctificationis tribuat. However, soon after this time that form was adopted, and Thomas defended it against the attack of an unknown writer, in the opusc. xxii. de forma absolutonis. The latter asserted (cap. 5), quod non debet sacerdos dicere “*Ego te absolvo*,” tum quia hoc pertinet ad potestatem Dei, tum quia sacerdoti incertum est, an ille absolvatur. Addit etiam objiciendo, quod vix xxx anni sunt, quod omnes hac sola forma utebantur “*Absolutionem et remissionem tribuat tibi Deus*.” Sed quomodo de omnibus potest testimo nium perhibere, qui omnes non vident? Compare Thomae Summa P. iii. qu. 84, art. 3: *Utrum haec sit forma hujus sacramenti, Ego te absolvo?* E. g. In sacramentali absolutione non sufficeret dicere: “*Misereatur tui omnipotens Deus*” vel “*Absolutionem et remissionem tribuat tibi Deus*”: quia per haec verba sacerdos absolutionem non significat fieri, sed petit ut fiat. Praemittitur tamen etiam in sacramentali absolutione talis oratio, ne impe diatur effectus sacramenti ex parte poenitentis. The formula deprecatoria was retained as the absolution in some places down to the 14th century, see Franciscus Mayronius († 1325), in Sent. lib. iv. dist. 14, qu. 1, art. 2, afterward it was used only as an introduction to the absolution.

⁸ Thomas in Summa, suppl. P. iii. qu. 8, art. 1: Gratia, quae in sacramentis datur, a capite in membra descendit: et ideo solus ille minister est sacramentorum, in quibus gratia datur, qui habet ministerium super corpus Christi verum: quod solius sacerdotis est, qui consecrare eucharistiam potest. Et idcirco cum in sacramento poenitentiae gratia con-

Thus confession to laymen died away of itself.⁹ The common people were more easily won over to these alterations in doctrine and practice, because it was made a fundamental maxim not to impose on the person confessing a penance that would be burdensome to him.¹⁰

feratur, solus sacerdos minister est hujus sacramenti: et ideo ei soli facienda est sacramentalis confessio, quae ministro Ecclesiae fieri debet.

⁹ The following gradations are worthy of note: After Albertus M. had declared confession to a layman to be *confessio sacramentalis* (see above, note 3), Thomas represents it (Suppl. tertiae partis Summae qu. viii. art. 2) only as, *quodammodo sacramentalis*, with the following mode of reasoning: In sacramento poenitentiae non solum est aliquid ex parte ministri, scilicet absolutio et satisfactionis injunctio: sed etiam ex parte ipsius, qui suscepit sacramentum, quod est etiam de essentia sacramenti, sicut contritio et confessio.—Sed quando necessitas imminet, debet facere poenitens, quod ex parte sua est, scilicet conteri et confiteri, cui potest: qui quamvis sacramentum perficere non possit, ut faciat id quod ex parte sacerdotis est, absolutionem scilicet; defectum tamen sacerdotis summus sacerdos supplet. Nihilominus confessio ex defectu sacerdotis laico facta sacramentalis est quodammodo: quamvis non sit sacramentum perfectum, quia deest id quod est ex parte sacerdotis. On the other hand, Bonaventura in Sent. lib. iv. dist. 17, pars 3, in exposit. textus, dub. 1: dicunt (aliqui), quod talis confessio quodammodo est sacramentum Ecclesiae. Probabilius tamen est dicere; quod non sit sacramentum ecclesiae, cum deficiat ibi formale, scilicet potestas clavis, sed est aliquid loco ejus. At last Duns Scotus in lib. iv. dist. 17, qu. 1, § 27: Talis confessio potest esse materia verecundiae, quae est una poena debita peccato: et in hoc confitens solvit aliquam poenam, quam solveret, si confiteretur sacerdoti. Sed quia accusatio ad hoc ex praecepto fit, et non ad aliud, ut sequatur sententia, et laicus nullam habet sententiandi auctoritatem in isto foro: sequitur, quod nullum praeceptum est de accusando se laico: et forte utilius esset non accusare se illi, si posset aequalem verecundiam habere apud se recogitando eadem peccata, et sic aequo puniri.—Viro discreto, qui bene sciret, ad quid est confessio instituta, nec forte utile foret, nec (sine forte) necessarium, talem confessionem facere. Nevertheless, the Synod of Treves, in the year 1310, c. 116 (Mansi xxv. 279), directed, in case of danger of death, when no priest was at hand, that confession should be made to a Catholic layman. An example of such confession is to be found (about the year 1250) in Joinville hist. de. s. Louis (in the Collection des mémoires relatifs à l'hist. de France depuis Philippe-Auguste par M. Petitot. Tom. ii. Paris, 1819. 8.), p. 296. When Joinville and his companions were taken prisoners by the Saracens, and expecting the approach of death, he writes: Encouste moy se agenoilla messir Guy d'Ebelin, connestable de Chipre, et se confessa à moy: et je lui donnay telle absolucion, comme Dieu m'en donnoit le povoir. Other instances may be seen in H. Klee die Beichte, eine hist. krit. Untersuchung, Frankf. a. M. 1828. 8. s. 260 ff.

¹⁰ Robertus de Flammesburg, Canon. s. Victoris (about 1180) in Poenitentiali: si poenitens canonicam non vult recipere poenitentiam, i. e. a canonibus institutam, diligenter admoneo, ne animam suam ullo modo laedat, et promissimum me offero ad quantamlibet poenitentiae alleviationem.—Petrus Pictaviensis Canon. s. Victoris (about 1180) in Poenitentiali: Non videtur, quod pro peccatis occultis debeat poenitens aliquis arctari praeceise ad aliquod genus satisfactionis nolens, sed redimere potest, vel aliter compensare.—Raymundus de Pennaforti Summa de poenitentia et matrimonio, § 41: Ex his poterit quis invenire processum ad satisfactionem pro diversis criminibus secundum poenitentiales canones imponendam: nec debet sacerdos a predicta forma recedere, nisi propter causam, et in hoc consistit ejus arbitrium, scilicet pro qua vel pro quibus circumstantiis, et quantum et quando possit augeri vel minui poenitentia canonica: et haec est opinio quorundam. *Alii vero dicunt, indistincte omnes poenitentias esse arbitrarias, et hanc ultimam opinionem videatur amplecti consuetudo.* Prima tamen est tutior, licet difficultior.—Duns Scotus in lib. iv.

§ 84.

INDULGENCE.

Jo. Morini comm. (see before, § 83).—Eus. Amort de origine, progressu, valore ac fructu indulgentiarum accurata notitia historica, dogmatica, polemica, critica. Aug. Vindel. et Graecit 1735. fol.—Lettres historiques et dogmatiques sur les Jubilés et les Indulgences, par Charles Chais, à la Haye, 1751. 3 tomes. 8. [Bishop Hopkins, History of Confessional, 1850. Lasteyrie, Hist. Auricular Confession, transl. 2, 8. Lond.]

The development of the indulgence in this period, together with that of the confessional, in lasting and reciprocal operation, completed the destruction of the ancient penitential system. While bishops and priests continued to ply the older retail business in the punishment of sin,¹ the Popes began, after the time of Gregory

dist. 15, qu. 1, no. 14: Poenitenti illud imponendum est, quod libentius recipit, et quod creditur perseverantius adimplere. Vel si omnino nullam poenitentiam velit recipere a sacerdote impositam, dicit tamen se habere displicantiam de peccato commisso, et firmum propositum non recidivandi, absolvendus est:—et nuncianda est sibi poena, quae esset pro peccatis facienda, et quod eam in se vel in aequivalenti absque impositione studeat adimplere: alioquin solvet ad plenum in purgatorio. Cf. Amort de origine etc. indulgentiarum, ii. 32.

¹ Compare Div. 1, § 35, note 4. Calixti P. ii. sermo i. in s. Jacobum (Bibl. PP. Lugd. xx. 1283), Abaelardi ethica, cap. 18 (Pezii anecd. III, ii. 666), especially cap. 25 (p. 680): Sunt nonnulli sacerdotum non tam per errorem quam cupiditatem subjectos decipientes, ut pro nummorum oblatione satisfactionis injunctae poenas condonent vel relaxent, non tam attentes, quid velit Dominus, quam quid valeat nummus.—Nec solum sacerdotes, verum etiam ipsos principes sacerdotum, h. e. Episcopos ita impudenter in hanc cupiditatem exardescere novimus; ut, cum in dedicationibus Ecclesiarum, vel in consecrationibus altarum, vel benedictionibus cimenteriorum, vel in aliquibus solemnitatibus populares habent conuentus, unde copiosam oblationem exspectant, in relaxandis poenitentiis prodigi sunt: modo tertiam, modo quartam poenitentiae partem omnibus communiter indulgentes sub quadam scilicet specie caritatis, sed in veritate summae cupiditatis. Qui de sua se jactantes potestate, quam, ut ajunt, in Petro vel Apostolis suscepserunt, cum eis a Domino diceretur: Quorum remiseritis peccata, etc. (Jo. 20, 23), tunc maxime quod suum est agere gloriantur, cum hanc benignitatem subjectis impendunt. Atque utinam id saltem pro ipsis, non pro nummis, facerent, ut qualiscunque benignitas potius quam cupiditas videretur. Sed profecto si hoc in laude benignitatis habendum est, quod tertiam vel quartam poenitentiae partem relaxant, multo amplius corum pietas praedicanda erit, si dimidiā vel totam ex integro poenitentiam dimitterent, sicut licere sibi profitentur, et [a] Domino concessum esse, et quasi in manibus eorum caelos esse positos secundum remissionis vel absolutionis peccatorum supra posita testimonia. Magnae denique impietas e contrario arguendi videntur, cur non omnes subjectos ab omnibus absolvant peccatis, ut videlicet neminem illorum damnari permittant: si ita, inquam, in eorum potestate constitutum est, quae voluerint peccata dimittere vel retinere, vel caelos his, quibus decreverint, aperire vel claudere: quod utique beatissimi praedicandi essent, si hos sibi, cum vellent, aperire possent. Quod quidem si non possunt vel nesciunt, certe illud poeticum, in quantum arbitror, incurront:

Nec prosunt domino, quae prosunt omnibus, artes.

Appetat quislibet, non ego, potestatem illam, qua potius aliis quam sibi proficere possit, tanquam in potestate sua habeat alienas animas salvare magis, quam propriam: cum e

VII., to promise full pardon² in return for certain important services rendered to the Church: ever since the time of Urban II. this had been granted in an especial manner to all crusaders.³ The common people naturally understood this promise in its literal meaning; and in consequence it had the worst effect upon their morality:⁴ on the other hand, we find that the theologians of the 12th

contrario quislibet discretus sentiat. Cf. Conc. Eboracense ann. 1195, can. 3. Londoniense ann. 1237, cap. 4.

² An example in the case of Gregory VII. may be seen above, § 47, note 31. The transition-state to this immediate forgiveness of sin consisted in such promises as that of Gregory VI. in the year 1044 (in d'Achery spicileg. iii. 398) in behalf of those who had sent contributions for the restoration of the churches in Rome: *Quorum nos videntes devotionem et laudabilem erga communem matrem dilectionem, tam per nos, quam etiam per successores nostros ter in anno cum omnibus Romanis Ecclesiae generaliter Missam celebrare, et sepius illorum speciale memoriam inter sacra Missarum solemnia habere promisimus, ut omnipotens Dominus meritis Dei genetricis,—et beatorum Apostolorum Petri et Pauli auctoritate, omnium Sanctorum, maxime Romae quiescentium, oratione a cunctis eos peccatis absolvat, et ad vitam aeternam perducat.*

³ See above, § 48, notes 8 and 10, § 51, note 14, etc. At first plenary indulgence was only granted for services undertaken in behalf of the Church at the risk of life. Thus the idea of the power of martyrdom to eradicate sin entered into the conception of indulgence, see John VIII. Div. I. § 35, note 11. Chron. Casaur. above, § 48, note 10.

⁴ E. G. Chron. Ursbergense ad ann. 1221 (extracts in Aventinus in ann. Bojorum lib. vii. c. 3, ed. Gundling, p. 632): *Eo tempore dominus Cunradus Portuensis Episcopus Cardinalis in legatione sedis apostolicae dirigitur in Alemanniam pro negotio terrae sanctae, ut videlicet Crucesignatos faciat crucem resumere, et praedicatorum instituit, qui alios ad crucem sumendam exhortentur. Tunc quidam, Johannes nomine, de Ordine Praedicorum, veniens de Argentiniensi civitate, instabat praedicationi opportune et importune, ita ut hominum vitia et peccata quasi importune exprobaret, et ad capienda animas quaedam dogmata, hactenus inaudita, ingereret. (Aventinus l. c. Quemcunque sceleri obnoxium, paricidio, incesto, sacrilegio pollutum, continuo, ubi cruciculam vesti assuisset, solutum esse et crimine et poena declamitabant.) Quac licet aliqua ratione possent defendi, ut veritatem contineant, multa tamen exinde mala provenisse dignoscuntur, cum audientes alio modo intellexerunt, et ad perpetrandum immanissima facinora et flagitia priores effecti sunt. Inter quae dominus Engelbertus Coloniensis Archiepiscopus a consanguineis suis interfactus est, et multi sacerdotes trucidati.—Dicebant enim quidam pessimii: faciam scelera, quia per susceptionem crucis innoxius ero, quinetiam animas multorum flagitosorum liberabo* (compare Math. Paris, above, § 56, note 13, and Thomas Aquinas Summa, suppl. P. iii. qu. 71, art. 10, below, note 18). Innocentii IV. ep. ad Galliarum Praelatos ann. 1246 (Mansi xxiii. 600); *Ex parte—regis Franciae illustris fuit propositum coram nobis, quod nonnulli Crucesignati regni sui, cum deberent ab excessibus abstinere, propter libertatem eis indultam fulta, homicidia, raptus mulierum, et alia perpetrant detestanda. Nolentes igitur, ut aliqui Crucesignati occasione libertatis eis indultae presumant ad talia extenderem manus suas, universitatibus vestrae per apostolica scripta mandamus, quatenus Crucesignatos cosdem in hujusmodi criminibus minime defendatis.—Albertus Stadensis in chron. ed. Helmst. fol. 188. verso: Forte ibis aliquando sepulchrum Domini visitare. Tunc cogita, quod dicitur:*

Caelum, non animum mutant, qui trans mare currunt.

Vix aliquos vidi, immo nunquam, qui redierint meliores, vel de transmarinis partibus, vel de Sanctorum liminibus.—Precisely those Christians in the East who possessed the richest indulgences were universally infamous for their crimes; compare Wilken's Gesch. der Kreuzzüge, v. 50, vi. 312, vii. 368, 743. Vridankes Bescheidenheit von W. Grimm, Vorr.

century, since as yet it was hard for them to reconcile this forgiveness of sins by man with their fundamental maxim that God alone can forgive sin,⁵ partly gave little credit to it,⁶ partly, in their explanations of the doctrine, stopped far short of the literal sense of the promises.⁷ Innocent III., in the year 1215, imposed

s. L. Raumer's *Gesch. d. Hohenstaufen*, ii. 380. E. g. *Descr. terrae sanctae mscr. in Bern*: *Et clerus et populus in varios luxus effluxerat, totaque terra illa flagitiis et facinoribus sordescerbat.* Guilelmus de Nangis (about 1301), in *Chron. ad. ann. 1187*: *unde regiones ceterae suscepserant religionis exordium, inde totius immunditiae sumebant exemplum.* Besides the rest of the passages quoted by Raumer, compare the instructions issued by Gregory X. for Thomas, the new patriarch of Jerusalem (Raynald. ann. 1274, no. 17): *Nosti—enormia, quae in transmarinis partibus committuntur, etc.*

⁵ See § 83, notes 1 and 2.

⁶ Compare the expressions of Abelard (above, note 1); and of Stephen Abb. Obazinen-sis († 1159), in his life written by one of his disciples, lib. ii. c. 18 (in *Baluzii miscellan.* iv. 130). In the year 1156, when he laid the foundation-stone of a new church, a great assemblage of people thronged together. Tamen petendi et impetrandi ad tanti operis supplementum, sicut fore cunctis aedificantibus mos est per Ecclesias populos commovere, ipsa die apud nos et initium et finis fuit. Ubi quamvis hoc Episcopus frequenter moneret, immo potius et jubaret, datis literis indulgentiarum largitate refertis, tamen ei vir sanctus nunquam adquiescere voluit, dicens: *Nos talen consuetudinem introducere nolumus, ut populis scandalum et nobis ignominiam adquiramus, circumeundo Ecclesias, ostendendo beneficia, indulgentias largiendo, quas dare non poterit nisi solus Deus.* Audivi tamen referri ab his, qui interfuerunt, quod, cum in quodam episcopatu domum novam aedicaret, persuasus sit a quibusdam, immo compulsus, commonitorias literas ab Episcopo postulare, ut domui illi, quamdiu aedicaretur, beneficia populus impertiret. Episcopus petitione ejus, quam quidem invitus nec per semetipsum fecerat, libertissime annuit, statimque literas ipsas scribi praecepit. Cumque ventum esset ad indulgentiarum locum, mandat Abbati, quantum indulgentiae his, qui in hac fraternitate se mitterent, vellet adscribi. Cui ille ita remandavit: *Nos inquit, Domine, nostra adhuc premunt peccata, nec possumus levare aliena.* Quod audiens Episcopus, laetus erubuit, et virum Dei, ut vere erat, Dei servum et tali timore plenum non dubitavit. It is plain from the passages themselves that both Abelard's and Stephen's doubts referred as much to the Papal as to the Episcopal indulgences. Besides, bishops had at that time quite as much right to grant indulgences as the Pope. Cf. Albertus Magnus in *Sent. lib. iv. dist. 20, art. 21*: *Dicendum, quod Episcopus in sua dioecesi potest conferre indulgentiam, quantum vult, nisi a Papa limitetur.* In like manner, Thomas in *Sent. lib. iv. dist. 24, qu. 3, art. 2.*

⁷ Paulus Presbyter (ad s. Nicolaum Passavii, about 1200) in *Summa de poenitentia*, c. 15 (in *Duellii miscellan. T. 1*): *Videndum est, quid valeant remissiones, quae fiunt in pontibus, dedicationibus Ecclesiarum, etc.* Super hoc septem sunt opiniones probabiles septimam autem amplectimur et tenemus, licet aliae possunt esse verae. Primi dicunt, quod valeant tamquam thesaurus, ut cum alia defecerint, etiam mereri non possimus, recipiant nos in aeterna tabernacula, ut de villico iniquo legitur in Evangelio. Secundi dicunt, quod valeant quoad delicta ignorantiae. Terti dicunt, quod valeant quoad veniam oblivioni tradita. Quarti dicunt, quod valeant tanquam quodlibet bonum, tamen amplius, propter auctoritatem Ecclesiae. Quinti dicunt, quod valeant quoad mitigationem poenae in purgatorio, quod hic non peregit propter mortis praeoccupationem. Sexti dicunt, quod valeant quoad poenitentiam negligenter peractam. Septimi dicunt, quos amplectimur et imitamus, quod in veritate valeant, et hoc propter duo, propter nummi donationem, et quia Ecclesia obligat et constitutit se orare pro illo. Guilelmus Episc. Altisiodorensis († 1223) comm. in *Sentent. lib. iv. tract. vi. cap. ix. qu. 1*: *Quaeritur, utrum in veritate tantum valet relaxatio, quantum promittit Ecclesia: quod videtur.* Dicit enim

restrictions on episcopal indulgence,⁸ because of the abuses which rose therefrom ; but, as it seems, only to open a wide door for the mischiefs of Papal indulgences. For not only was the Papal indulgence for crusaders in the 13th century repeated as often as there was a crusade,⁹ and even sold outright for money,¹⁰ and less-

Ecclesia sic : quicunque dederit de suo aliquid ad fabricam hujus loci, remittitur ei ter-
tia pars poenitentiae, et peccata obliteratur et hujusmodi.—*Ad hoc dicunt quidam, quod relaxatio
non tantum valet, quantum Ecclesia promittit, sed facit, ut excitentur fideles ad dandum, et de-
cipit eos Ecclesia : sed illa deceptio pia fraus est, et non est peccatum.* This he contradicts,
and explains himself thus : relaxatio non tantum valet ratione dati, sed ratione precum et
suffragiorum Ecclesiae, quae obligat se ad orandum pro illo, qui dat aliquid de suo ad fab-
ricam Ecclesiae, et Ecclesia per preces suas meretur ei remissionem poenae : quod pro-
batur, quia per preces suas meretur Ecclesia alicui remissionem culpae (in confessione),
multo fortius remissionem poenae. Then qu. 3, on the relaxatio, quae fit in Crucesigna-
tis, propter quam multi faciunt expeditionem, quam praedicatores sic exponunt : quicun-
que acceperit crucem ad subsidium terrae sanctae, dimittuntur ei omnia peccata sua, ita
quod, si statim decedat sumpta cruce, statim evolabit. On this he remarks, quod in ver-
itate multa promittunt Praelati, quae non solvuntur : unde cum magna discretione, et non
passim facienda sunt hujusmodi relaxations.—Cum justa aestimatio non possit fieri de
peccatis oblitis et votis fractis, non est necesse, quod tantum valeat illa relaxatio, quan-
tum promittit Ecclesia. Unde sic est intelligendum : quicunque dederit de suo aliquid
ad fabricam talis Ecclesiae, dimittitur ei tertia pars poenitentiae injunctae, et peccata ob-
lita et vota fracta dimittuntur vel in parte, vel in toto. Et hoc magnum est, sed Ecclesia
non determinat, ut magis excitetur devotio fidelium : non est bonum omnia nota exprimere.
—De Crucesignatis dicimus, quod non est necesse, quod assumpta cruce statim evolant,
si decendant ; sed illa relaxatio intelligitur ut frequenter in pluribus. Frequenter enim
illi, qui accipiunt crucem, parati sunt mori pro Christo, et in hoc proposito augmentatur
in eis contritus, et sic per contritionem dimittitur eis poena.—Papa habet hanc potestatem,
ut faciat Crucesignatos particeps omnium suffragiorum Ecclesiae, sed non habet hanc
potestatem, ut istum, qui est poenae debitor, faciat evolare sine solutione poenae : immo
necesse est, quod suspiciat de manu Domini duplicita, qui faciat fructus dignos poenitentia-
tiae. sed intelligitur facere poenitentiam, si vel ipse vel Ecclesia faciat pro eo. The opin-
ion that the indulgence essentially rested on the *suffragia Ecclesiae* is avowed even by the
Popes of the 12th century ; e. g. Gelasii, P. II. ad exercitum Christianorum civitatem
Caesaraugustanam obsidentem, ann. 1118 (Mansi xxi. 169 s.) : si quis vestrum accepta de
peccatis suis poenitentia in expeditione hac mortuus fuerit, nos eum Sanctorum meritis,
et totius Ecclesiae catholicae precibus, a suorum vinculis peccatorum absolvimus.

⁸ Conc. Lateran. IV. ann. 1215, c. 62 (in Decretal. Gregor. lib. v. tit. 38, c. 14) : Ad haec,
quia per indiscretas et superfluas indulgentias, quas quidam Ecclesiarum Praelati facere
non verentur, et claves Ecclesiae contemnuntur, et poenitentialis satisfactio enervatur :
decernimus, ut, cum dedicatur basilica, non extendatur indulgentia ultra annum, sive ab
uno solo, sive a pluribus Episcopis dedicetur. ac deinde in anniversario dedicationis
tempore XL dies de injunctis poenitentiis indulta remissio non excedat. Hunc quoque
dierum numerum indulgentiarum literas praeципimus moderari, quae pro quibuslibet cau-
sulis aliquoties conceduntur : cum Romanus Pontifex, qui plenitudinem obtinet potestatis,
hoc in talibus moderamen consueverit observare.

⁹ There were crusades against heretics (Albigenses and Stedinger), against unbelievers
(Prussians, Livonians, etc.), and contumacious princes (Frederick II., etc.).

¹⁰ Alexander III., in the year 1184 (see the *Ordinatio Regum Franciae et Angliae* of the
same date in Mansi xxii. 485), was the first to grant to those, quicunque eleemosynam,
quae ordinata est ad subventionem terrae Hierosolymitanae, transmiserunt, de injuncta
poenitentia veniam, to wit, si in poenitentia fuerint, quae septem annos excedat, trium an-

er indulgences granted for the most trivial circumstances;¹¹ but now also several orders of monks, under Papal protection, offered peculiar indulgences with trifling demands, and professedly fraught with the most effectual operation:¹² and at the end of this period, in the year 1300, Boniface VIII. established the year of jubilee,¹³

norum veniam, otherwise, duorum annorum, etc. Innocentius III. lib. 1. epist. 302: Cae-
teros vero, qui ad opus hujusmodi exequendum aliqua de bonis suis forte contulerint, jux-
ta muneris quantitatem, et praecipue juxta devotionis affectum, remissionis hujus partici-
pes esse consemus. Cf. lib. ix. ep. 255, and lib. xv. ep. 28 (see above, § 54, note 46). Robertus Lincolniensis in Matth. Paris ann. 1253, p. 876: Inspximus literam papalem, in
qua insertum reperimus, quod testamenta condentes, vel crucem suscipientes, et subsidi-
um terrae sanctae impendentes tantudem recipient indulgentiae, quantum pecuniae lar-
gentur. About this time plenary indulgences were also granted in return for such sup-
port in money (e. g. against Manfred, see above, § 57, note 19). But from the time of
Gregory IX. there began a yet more shameful traffic with the absolution, *a votu crucis*, see
Matth. Paris, above, § 55, note 27. Compare the Troubadour Guillem. Figueira, about
1244 (in F. Diez Leben und Werke der Troubadours, s. 564): Rome, thou gnawest at the
flesh and bones of simple people, thou drawest them hunger-bitten down with thee to the
tomb: thou steppest all too far over the boundaries of God: thy greed of gain is so great
that thou pardonest sin for money: thou art loading thyself, O Rome, with a burden of
shame. Compare in Peire Cardinal about 1220 (in Millot, iii. 243), the reflections on the
maxim (borrowed from Daniel, iv. 24), (? 27, Translator), que l'aumône rachète tous les
péchés. Les riches auroient donc plus de facilité pour le salut que les pauvres, l'argent
seroit plus puissant que le diable et que Dieu même, et les prières ne serviroient de rien!

¹¹ When a rose blessed by the Pope had been presented to a church in Aix, Innocent IV. granted indulgence to all persons who confessed there (Baluz. Miscell. i. 224): Urban IV. granted the same to all who should listen to a sermon at the same time with the King of France (Guil. Nangis, p. 418), see Raumer, Gesch. d. Hohenstaufen, vi. 208.

¹² See with especial reference to the indulgence at Portiuncula, above, § 69, note 9.

¹³ Boniface's Bull dd. viii. Kal. Martii 1300 in Raynald. ad h. a. and Extravagantes com-
munes lib. v. tit. 9, c. 1 (in Boehmeri corp. jur. can. ii. 1193): Antiquorum habet fida rela-
tio, quod accidentibus ad honorabilem basilicam principis Apostolorum de urbe, conces-
sae sunt remissiones magnae et indulgentiae peccatorum. Nos igitur—hujusmodi remis-
siones et indulgentias omnes et singulas ratas et gratas habentes, ipsas auctoritate aposto-
lica confirmamus et approbamus, ac etiam innovamus, et praesentis scripti patrocinio
communimus. Ut tamen beatissimi Petrus et Paulus Apostoli eo amplius honorentur, quo
ipsorum basilicae de urbe devotius fuerint a fidelibus frequentatae, et fideles ipsi spiri-
tualium largitione munerum ex hujusmodi frequentatione magis senserint se refectos; nos
de omnipotentis Dei misericordia, et corundem Apostolorum ejus meritis et auctoritate
confisi, de fratum nostrorum consilio et apostolicæ plenitudine potestatis, omnibus in
praesenti anno millesimo trecentesimo a festo nativitatis Domini nostri J. C. praeterito
proxime inchoato, et in quolibet anno centesimo secuturo, ad basilicas ipsas accidentibus
reverenter, vere poenitentibus et confessis, vel qui vere poenitebunt et confitebun-
tur, in hujusmodi praesenti et quolibet centesimo secuturo annis, non solum plenam, sed
largiorem, immo plenissimam omnium suorum concedimus veniam peccatorum: statuen-
tes, ut, qui voluerint hujusmodi indulgentiae a nobis concessae fore participes, si fuerint
Romani, ad minus triginta diebus continuis vel interpolatis, et saltem semel in die: si vero
peregrini fuerint aut forenses, modo simili diebus quindecim ad basilicas easdem acce-
dant. Unusquisque tamen plus merebitur, et indulgentiam efficacius consequetur, qui
basilicas ipsas amplius et devotius frequentabit. On the occasion and celebration of this
jubilee, see Jacobi s. Gregorii ad velum aureum diaconi Cardinalis (Jacobus Cajetan, a
nephew of Boniface VIII.) de centisimo seu Jubilao anno liber (Bibl. PP. Lugd. xxv. 936,
and in abstract in Raynald. ann. 1300, no. 1 ss.): Anceps et paene citra opinionis fidem de

in which the most complete forgiveness of sin was to be guaranteed in return for slight services. The abuse was made still worse by the fraud which was very soon introduced into this traffic.¹⁴

proximo nunc futuro centesimo, cum millesimum trecentesimum prae foribus occursum monebamur, ad Rom. Pontificem delatus rumor advenerat : qui tantam ejus fore anni vim, ut, quo Romani ad principis Apostolorum Petri basilicam pergentes omnium plenissimam peccatorum dilutionem sortirentur, polliceretur. Hinc vetustorum revolvi librorum monumenta pius pater edixit : quibus ejus quod quaerebatur nec ad plenum in lucem venit cognitio, forsitan—ex desidia, seu ex—libris deperditis, seu quia nec tantum veritatis ut opinionis suberat.—Centesimus oritur. Mira res ! tota paene prima Januarii die noveliae mysterium remissionis occupuit : proclivo vero in vesperam sole—Romani frequentes ad sacram b. Petri basilicam properant, oppressi altaria stipant, alternatimque se (ut vix accedere fas esset) impediunt, tanquam ea brevi finienda die expirare gratiam vel maiorem autumarent. Then there streamed in hither other pilgrims also—men believed, primo centesimi die omnium calparum sordes deleri, caeteris annorum centum indulgentiam fore. Soon after, nec vivus praeteritorum defuit testis, an old man of 107 years, who declared before the Pope, meminisse, patrem alio centesimo Romae, quoisque, quem secum detulit agricola, susfecit victus, ob indulgentiam moratum, seque admonuisse, ut—ventro centesimo Romae nequam puer adesse pigriraret, who also protested withal, unaquaque ejusdem anni die illic centum annorum indulgentiam lucrifieri posse. Thus the Pope was induced to issue that Bull.

¹⁴ Richardus de s. Germano ad ann. 1225 : Honorius III. indulgentiam Saracenisci, quae ex longiturnitate temporis satis inoleverat, tanquam falsam cassavit, et irritam per suas literas denunciavit pariter et inanem : pro eo quod Clerici loci ejusdem dabant accedentibus ad ipsam Ecclesiam remissionem peccatorum, facientes eis intelligi, quod ita de peccatis omnibus emundati recederent, sicut pertica quaedam, quam ostendebant eis cortice emundatam. The Franciscan Berthold speaks thus zealously (see above, § 80, note 6) against the vendors of indulgence (in Kling's Ausg. s. 384) : "They are newly sprung up ; for when I was a little child there was never a one of them. They are called penny-preachers ; the devil has no more favorite servants. For one of these goes out among the simple folk, and preaches and shouts, till all weep who stand before him. And he says he has power from the Pope to take off all thy sins for one mite. And he lies, saying that man is thereby made free from sin before God ; thus he crowns the devil every day with many thousand souls. Ye must give him naught : ye must stand off from the fraud. The while ye are giving to him, he is selling you to eternal death. And they slay you, and turn you away from true repentance, which God has hallowed, so that ye never may will to repent." Conc. Provinc. Mogunt. ann. 1261, c. 48 (Mansi xxiii. 1102) : Contra Quaestuarios maledicos, quibus ob monstruosum turpis quaestus abusum sic incanduit orbis odium, qui, utpote homines pestilentes, suaque nequitia merito odiosi, ita se reddiderunt exosos, quod adversum eos constrepit omnis linguae conquestio querulosa.—Hi profanissimi pro reliquiis saepe exponunt ossa profana hominum, seu brutorum, et miracula mentiuntur, causasque petitionum suarum mendose conflictas, effusis lacrimarum profluiis, ad quas habent oculos eruditos, et extenuatis faciebus cum clamoribus validis, et gestibus miserandis sic motive proponunt, tamque indulgentiarum numerositatem contra statutum generalis Concilii, et relaxationem peccaminum pollicentur ; quod vix est aliquis, etiam ipsorum agnoscens nequitias, qui se a subventione eorum valeat continere. Ex quo vilescunt claves Ecclesiae,—cum pauci sint, qui subire velint aliquam poenitentiam etiam impositam a proprio sacerdote, credentes,—se a peccatis per hujusmodi indulgentias absolutos. Ad haec iidem Quaestuari male taliter acquisita pejus Ecclesiis subtrahunt, quarum intuitu conferuntur; ex quo sacrilegii crimen incurunt, dum male acquisita, pejus subtracta, pessime dissipant, et consumunt in commensationibus, ebrietate, ludis et luxuriis. These Quaestuari should be delivered over prisoners to the bishop. Quod si Ecclesia—eleemosynas decreverit requirendas, sacerdotibus dioecesis illius cartulæ di-

However, the Aristotelian divines of the 13th century readily entered on the task of vindicating dogmatically this most monstrous of all Papal pretensions. Alexander of Hales and Albert the Great invented the doctrine of the *Thesaurus supererogationis perfectorum*,¹⁵ out of which, by virtue of the power of the keys, not only

rigantur, necessitatem Ecclesiae et quantitatem indulgentiae continent, ut juxta hoc ad subventionis subsidium suos populos exhortentur. They were to transmit the money collected. Unaquaeque etiam dioecesis suorum populorum eleemosynis sit contenta, nec jure alterius imploret auxilium. Urban IV. granted to the Inquisitors in 1262, in the Bull, *Licet et omnibus* (Bullar. magn. in Urb. IV. no. 2), § 14: compescere praedicatorum quae-
stuarios a praedicationis officio, quod ad ipsos nullatenus pertinet, quorum interest tantum caritativa subsidia simpliciter petere, ac indulgentiam, si quam forte habent, exponere. Humbertus de Romanis de his quae tractanda videbantur in Conc. Lugd. anni 1274 (see above, § 58, note 4), lib. iii. c. 8, in Brown app. ad fasciculum rerum expetendarum et fu-
giendarum, p. 227: Circa quaestuarios praedicatorum, qui fere totam Dei Ecclesiam ubi-
que terrarum inficiunt, et sunt scandalo toti mundo, sunt tot reprehensibilia, quod non fa-
cile potest dici: sunt enim pro maxima parte personae in honestae et infames. Item cor-
rumpunt Praelatos, et Officiales, et Archipresbyteros, et Presbyteros a deo suis servitiis,
quod dimitunt eos facere et dicere quaecunque volunt. Item habent brevia, quae relin-
quent in singulis parochiis, in quibus continentur tot indulgentiae, quod mirantur boni
viri, si unquam de conscientia Papae vel etiam alieujus boni viri potuerunt illa procedere.
Item exponunt illa simplicibus malo modo. Item multa adquirunt, et pauca veniunt ad
domos, pro quibus fiunt: quia vel multa ultra modum consumunt, vel etiam emunt illas
quaestas (those undertakings of indulgences; in other words, the right to preach the indul-
gence) pro modico [*leg. immodico*] pretio. Item multa mendacia consueverunt dicere et
de reliquiis et de indulgentiis, et quod supremum malum est, ista et alia mala multa
eorum jam ita versa sunt in ludum et risum, quod vix est aliquis, qui super hoc doleat vi-
ces Christi.

¹⁵ While Raymundus de Pennaforti Summa de poenit. lib. iii. c. 63, as the earlier writers had done (above, note 7), grounds the virtue of the indulgence only on the orationes, and suffragia Ecclesiae.—Alex. Hales. Summa P. iv. qu. 23, art. 1: Dicunt aliqui, quod fiunt relaxations quantum ad forum Ecclesiae, sed non quantum ad forum Dei. Sed haec positio nulla videtur: quia, si Ecclesia relaxat et non Deus, magis esset deceptio quam relaxatio, et crudelitas quam pietas: quia tunc ad diminutionem poenae praesentis sequeretur incomparabiliter gravior in foro Dei. Propter hoc aliter dici potest, quod fiunt etiam in foro Dei, quia Deus habet pro relaxato, quod Ecclesia relaxat. Art. 2, membr. 1: Si loquamur de poena satisfactoria, secundum quod est medicamentum, sic non valet satisfactio unius pro altero. Si loquamur de illa, secundum quod est pretium, sic valet, et hoc modo potest unius satisfacere pro alio. Sed oportet, quod fiat auctoritate Superio-
ris. Membr. 3: Indulgentiae et relaxations fiunt de meritis supererogationis membro-
rum Christi et maxime de supererogationibus meritorum Christi, quae sunt spiritualis thesaurus Ecclesiae. Hunc autem thesaurum non est omnium dispensare, sed tantum eorum, qui praecipue vicem Christi gerunt, i. e. Episcoporum. Membr. 6: Praeexistente poena debitae et sufficientis contritionis, potest summus Pontifex totam poenam debitam peccatori poenitenti dimittere: non tamen debet, nisi ex magna causa. Ad illud, quod objicitur, quod aut Deus punit, aut homo, potest dici, quod, quando dominus Papa dat plenam indulgentiam, ipse punit obligando Ecclesiam aut aliquod membrum Ecclesiae ad satisfaciendum: vel potest dici, quod thesaurus Ecclesiae, qui exponitur pro satisfactione indulgentiarum, habetur principaliter ex meritis Christi: unde potest dici, quod Deus punit mala, ut Deus et homo patiendo et satisfaciendo pro nobis.—Albertus Magnus in Sent. lib. iv. dist. 20, art. 16: Indulgentia sive relaxatio est remissio poenae injunctae ex vi clau-
rium et thesauro supererogationis perfectorum procedens. Art. 17: Dicendum, quod

the temporal penalties of the living for sin, but, agreeably to the extension of the power of the keys over the dead,¹⁶ long since assumed, the penalties also of men suffering in purgatory were discharged.¹⁷ Thomas Aquinas completed this theory.¹⁸ According-

tres opiniones antiquitus fuerunt circa indulgentias. Quidam enim dixerunt, indulgentias omnino nihil valere, et esse eas piam fraudem, qua mater decipiendo pueros suos provocat ad bonum, scilicet peregrinationem, et eleemosynas, et auditum verbi Dei et hujusmodi. Sed isti ad ludum puerorum distrahunt facta Ecclesiae, et hoc fere sapere haeresin puto. Ideo alii, plus quam oportuit contradicentes, dixerunt, quod simpliciter sicut pronunciantur indulgentiae, ita valeant sine omni alia conditione intellecta vel dicta. Sed quia isti nimis bonum forum dant de misericordia Dei, ideo tertiac opinioni mihi assentiendum videtur,—scil. quod indulgentiae valent, sicut eas valere praedicat Ecclesia. Sed sex exiguntur conditiones, quae suppositae sunt vel dictae ab Ecclesia. Duea autem sunt ex parte dantis, quarum prima est dantis auctoritas, alia est pia causa.—Alia duo prae-supponuntur ex parte recipientis, scil. quod sit contritus et confessus in voto, et quod habeat fidem, quod hoc sibi possit fieri per clavum potestatem: et ideo semper (?) in literis indulgentiarum continetur: *omnibus contritis et confessis.* Alia duo exiguntur ex parte gratiae vel Ecclesiae, in qua fit remissio, scil. abundantia thesauri meritorum, de quibus supra, et justa aestimatio solutionis ejus, pro qua indulgentia est instituta.

¹⁶ Compare Div. I, § 35, note 11; above, § 73, note 27. Innocentius III. Decretal. Greg. lib. v. tit. 39, c. 28: *Quantumcunque se quis juramento praestito, quod Ecclesiae mandato pareret, humiliare curaverit, quantacunque poenitentiae signa praecessent;* si tamen morte praevenitus absolutionis non potuerit beneficium obtinere; quamvis absolutus apud Deum fuisse credatur: nondum tamen habendus est apud Ecclesiam absolutus. Potest tamen et debet ei Ecclesiae beneficio subveniri, sic ut, si de ipsis viventis poenitentia per evidencia signa constiterit, defuncto etiam absolutionis beneficium impendatur. Cf. Henricus Hostiensis, below, note 17.

¹⁷ Alex. Halesius, P. iv. qu. 23, art. 2, membr. 5: *Probabiliter et verissime praesumitur, quod illis, qui sunt in purgatorio, potest Pontifex facere indulgentias.* Nota tamen, quod plura requiruntur ad hoc, quod debito modo fiat indulgentia: scil. potestas clavum ex parte conferentis; ex parte ejus, cui confertur, caritas, credulitas, devotione; inter utrumque causa et modus.—Potest ergo dici, quod illis, qui sunt in purgatorio, possunt fieri relaxations secundum conditiones praedictas *per modum suffragii* sive impetrationis, non per modum judiciae absolutionis sive commutationis. Thus also Bonaventura, in Sent. lib. iv. dist. xx. qu. 5: *per modum deprecationis s. suffragii;* on the contrary, the canon-lawyer Henricus de Segusio (Cardinal and Episc. Hostiensis, † 1271), in his Summa utriusque juris (Aurea summa Hostiensis), tit. de remissionibus, c. 6: *Vivis tantum prosunt (remissiones), non mortuis.* Sicut enim membrum corporale putridum vel resecatum vel mortuum non potest nutriti vel vivificari cibo corporali, sic nec membrum spirituale corporis Christi cibo spirituali: licet alia suffragia Ecclesiae mortuis prosint, quia caritas sola prodest in purgatorio, sed potestas clavum non habet ibi locum. Nec obstat, quod Ecclesia solvit et ligat post mortem: quia ibi fit absolutio ad consolationem vivorum, et absolutitur mortuus, i. e. antequam moreretur, absolutus fuisse per contritionem monstratur, vel declarat Ecclesia, quod omnes pro excommunicato mortuo libere orent. Cf. Thomas suppl. p. iii. qu. 71, art. 10, below, note 18.

¹⁸ Thomas in Summa suppl. p. iii. qu. 25 (i. e. Comm. in Sent. lib. iv. dist. 20, qu. 1, art. 3), art. 1: *Indulgentiae valent et quantum ad forum Ecclesiae, et quantum ad judicium Dei, ad remissionem poenae residue post contritionem et absolutionem et confessionem, sive sit injuncta sive non.* Ratio autem, quare valere possunt, est unitas corporis mystici, in qua multi in operibus poenitentiae supererogaverunt ad mensuram debitorum suorum, et multas etiam tribulationes injustas sustinuerunt patienter, per quas multitudine poenarum poterat expiari, si eis deberetur. Quorum meritorum tanta est copia, quod omnem poenam debitam nunc viventibus excedunt, et praecipue propter meritum Christi: quod etsi in

ly, religious foundations and monasteries frequently made agreements, either to secure a reciprocal interest in each other's good

sacramentis operatur, non tamen efficacia ejus in sacramentis includitur, sed sua infinitate excedit efficaciam sacramentorum. Dictum est autem supra, quod unus pro alio satisfacere potest. Sancti autem, in quibus superabundantia operum satisfactionis invenitur, non determinate pro isto, qui remissione indiget, hujusmodi opera fecerunt (alias absque omni indulgentia remissionem consequeretur), sed communiter pro tota Ecclesia: sicut Apostolus ait, se *adimplere ea quae desunt passionum Christi in corpore suo pro Ecclesia*, ad quam scribit, Col. I (v. 24): et sic praedicta merita sunt communia totius Ecclesiae. Ea autem, quae sunt alicuius multitudinis communia, distribuuntur singulis de multitudine, secundum arbitrium ejus, qui multitudini praeceps. Unde sicut aliquis consequeretur remissionem poenae, si aliis pro eo satisficeret: ita si sibi satisfactio alterius per eum qui potest distribuatur. Art. 2: *Utrum indulgentiae tantum valeant quantum pronunciantur?* Circa hoc est multiplex opinio. Quidam enim dicunt, quod hujusmodi indulgentiae non tantum valent, quantum praedicantur: sed unicuique tantum valent, quantum fides et devotione sua exigit. Sed dicunt, quod Ecclesia ad hoc ita pronunciat, ut quadam pia fraude homines ad bene faciendum alliciat: sicut mater, quae promittens filio pomum, ipsum ad ambulandum provocat. Sed hoc videtur esse valde periculosum dicere, etc.—Et ideo alii (Albertus M. lib. iv. dist. 20, art. 17, see above, note 15) dixerunt, quod tantum valent quantum pronunciantur, secundum justam aestimationem, non tamen dantis indulgentiam,—aut—recipientis,—sed secundum justam aestimationem, quae justa est secundum judicium bonorum, pensata conditione personae, et utilitate, et necessitate Ecclesiae: quia uno tempore Ecclesia plus indiget, quam alio. Sed haec etiam opinio stare non potest, ut videtur. Primo quia secundum hoc indulgentiae non valerent ad remissionem, sed magis ad commutationem quandam. Et praeterea praedicatio Ecclesiae a mendacio non excusaretur: cum quandoque indulgentia praedicetur longe major, quam justa aestimatio possit requiri, omnibus praeditis conditionibus pensatis.—Et ideo aliter dicendum est, quod quantitas effectus sequitur quantitatatem suaee causae. Causa autem remissionis poenae in indulgentiis non est nisi abundantia meritorum Ecclesiae, quae se habet sufficienter ad totam poenam expiandam: non autem causa remissionis effectiva est vel devotione, vel labor, vel datum recipientis indulgentiam, aut causa, pro qua fit indulgentia. Unde non oportet ad aliquid horum proportionare quantitatem remissionis, sed ad merita Ecclesiae, quae semper abundant: et ideo secundum quod applicantur ad istum, secundum hoc remissionem consequitur. Ad hoc autem, quod applicantur isti, requiritur auctoritas dispensandi hujusmodi thesaurum, et unio ejus, cui dispensatur, ad eum, qui merebatur (quod fit per caritatem), et ratio dispensationis, secundum quam salvetur intentio illorum, qui opera meritoria fecerunt. — Unde quaecunque causa adsit, quae in utilitatem Ecclesiae et honorem Dei vergat, sufficiens est ratio indulgentias faciendi. Et ideo secundum alios dicendum, quod indulgentiae simpliciter tantum valent, quantum praedicantur, dummodo ex parte dantis sit auctoritas, et ex parte recipientis caritas, et ex parte causae pietas, quae comprehendit honorem Dei et proximi utilitatem. Nec in hoc fit nimis magnum forum de misericordia Dei, ut quidam (Albertus M. l. c.) dicunt, nec divinae justitiae derogatur: quia nihil de poena dimittitur, sed unius poena alteri computatur.—Clavis duplex est, scil. ordinis, et jurisdictionis. Clavis ordinis sacramentale quoddam est: et quia sacramentorum effectus non sunt determinati ab homine, sed a Deo: ideo non potest taxare sacerdos, quantum per clavem ordinis in foro confessionis de poena debita dimittatur: sed tantum dimittitur, quantum Deus ordinavit. Sed clavis jurisdictionis non est quid sacramentale, et effectus ejus arbitrio hominis subjacet: et hujusmodi clavis effectus est remissio, quae est per indulgentias, cum non pertineat ad dispensationem sacramentorum talis remissio, sed ad dispensationem bonorum communium Ecclesiae: et ideo etiam legati non sacerdotes indulgentias facere possunt. Unde in arbitrio dantis indulgentiam est, taxare, quantum per indulgentiam de poena remittatur. Si tamen inordinate remittat, ita quod homines quasi pro nihilo ab operibus poenitentiae revercentur, peccat faciens tales indulgentias: nihilominus quis plenam indulgentiam conse-

works,¹⁹ or to obtain from the laity worldly goods in return for the grant of an interest in their spiritual treasures.²⁰

In proportion as it now appeared to have become more easy to obtain the commutation of everlasting into temporal punishment in the confessional, and remission of this last by indulgences, so

quitur. Quaest. 71, art. 10 (from Comm. in Sent. lib. iv. dist. 45, qu. 2, art. 3) : *Utrum indulgentiae Ecclesiae prosint mortuis?* Videtur, quod indulgentiae, quas Ecclesia facit, etiam mortuis prosint. Primo per consuetudinem Ecclesiae, quae facit praedicare crucem, ut aliquis indulgentiam habeat pro se, et duabus vel tribus, et quandoque etiam decem animabus, tam vivorum, quam mortuorum : quod esset deceptio, nisi mortuis prodessent, etc.—Sed contra, etc.—Respondeo dicendum, quod indulgentia dupliciter alicui podesse potest. Uno modo, principaliter : alio modo, secundario. Principaliter quidem prodest ei, qui indulgentiam accipit, scil. qui facit hoc, pro quo indulgentia datur, ut qui visitat limina alicujus Sancti. Unde cum mortui non possint facere aliquid horum, pro quibus indulgentiae dantur, eis directe indulgentiae valere non possunt. Secundario autem et indirecte prosunt ei, pro quo aliquis facit illud, quod est indulgentiae causa : quod quandoque contingere potest, quandoque autem non potest, secundum diversam indulgentiae formam. Si enim sit talis indulgentiac forma : *Quicunque facit hoc vel illud, habebit tantum de indulgentia* : ille qui hoc facit, non potest fructum indulgentiae in alium transferre ; quia ejus non est applicare ad aliquem intentionem Ecclesiae, per quam communicantur communia suffragia, ex quibus indulgentiae valent. Si autem indulgentia sub hac forma fiat : *Quicunque fecerit hoc vel illud, ipse et pater ejus, vel quicunque aliis ei adjunctus, in purgatorio detentus, tantum de indulgentia habebit* : talis indulgentia non solum vivo, sed etiam mortuo proderit. Non enim est aliqua ratio, qua Ecclesia transferre possit communia merita, quibus indulgentiae innituntur, in vivos, et non in mortuos.

¹⁹ Compare the original documents concerning the fraternity established between the foundation of St. Thomas at Leipzig and the Benedictine monastery at Pegau in the year 1297, in d. Unschuld. Nachrichten für 1719, S. 1: Universis Fratribus vestri conventus plenariaim fraternitatem et omnium Missarum, orationum, eleemosynarum, caeterorumque bonorum participationem concedimus in his scriptis, adjicientes, ut, si quispiam Fratrum vestrorum Domino vocante de hoc saeculo migraverit, cum cartula de ejus obitu conscripta ad nos pervenerit,—per XXX continuos dies in Vigiliis et in Missis animarum ejus memoriam peragamus, tanquam unius de Ecclesia nostra fratris, tali conditione adjecta, ut in vestra Ecclesia similiter nobis fiat. Likewise, the houses of St. Stephen in Mayence, and St. Cunibert in Cologne agreed in the year 1239, Würdtwein dioecesis Mogunt. in archidiaconatus distincta, i. 236.

²⁰ On the earlier grants, ad redimenda peccata, see Div. i. § 35, notes 4 and 5: Otto II., margrave of Brandenburg, in a deed issued for the Cathedral Church at Stendal in the year 1209 (in Lentz Brandenburg. Urkundensamml. I. 12), expresses naively the opinion, which may often have been adopted by the laity, as a ground of action : Per eleemosynarum largitates et orationum continuarum devotiones, per jejuniorum macerationes, per vigilarum sine taedio continuaciones et aliorum bonorum operum instantias aeternae vitae consortium adipisci debet. Quia vero nobis omnium istorum facilitatem naturae nostrae debilitas negavit, et petulantia, quae juvenibus servidae aetatis domestica solet esse, semper suadet in contrarium ; necessitatibus salutis nostrae in hoc consulere decrevimus, quatenus illud per alienos obtineamus labores, quod propriis non valemus, etc. A convenient help was given to this natural bent by the compacts which now came into use. Thus Henry, notary at Vienna, and his wife, in the year 1298, bequeathed, Abbatii et conventui Ecclesiae s. Mariae Scotorum Viennae, qui plenam nobis in Domino largiti sunt confraternitatem, facientes nos participes omnium bonorum, quae omnipotenti Deo exhibita fuerint per eosdem,—omnes nostras possessiones, etc., see Hormayr's Wiens Gesch. Bd. 2, Heft 1, s. lxiii.

much the less could the deeper spirits rest contented with this kind of pardon. Accordingly, penance by scourging did not only continue, but was practiced in the 13th century more universally and more severely than ever. The great pilgrimage of Flagellants, which started from Perugia in the year 1260, gave it a fresh and powerful impulse.²¹ Well-nigh the whole of Upper Italy was filled for some time with Flagellants wandering from place to place. The example spread even over the Alps as far as into Hungary, but it was soon suppressed as fraught with danger to Church and State.²²

²¹ Monachi Patavini chron. lib. iii. (written about 1270, in Muratori scriptt. rer. Ital. viii. 712): Sub praecedenti annorum curriculo, cum tota Italia multis esset flagitiis et sceleribus inquinata, quaedam subitanea compunctio, et a saeculo inaudita, invasit primus Perusinos, Romanos postmodum, deinde fere Italiae populos universos. In tantum itaque timor Domini irruit super eos, quod nobiles pariter et ignobiles, senes et juvenes, infantes etiam quinque annorum, nudi per plateas civitatum, opertis tantundem pudendis, deposita vercundia, bini et bini processionaliter incedebant: singuli flagellum in manibus de corrigiis continentis, et cum gemitu et ploratu se acriter super seculis usque ad effusionem sanguinis verberantes; et effusis fontibus lacrymarum, ac si corporalibus oculis ipsam Salvatoris cernerent passionem, misericordiam Dei et genetricis ejus auxilium implorabant: supplicie deprecantes, ut qui in innumeris poenitentibus est placatus, et ipsis iniurias proprias cognoscentibus parcere dignaretur. Non solum itaque in die, verum etiam in nocte cum cereis accensis, in hyeme asperrima, centeni, mileni, decem millia quoque per civitatis Ecclesias circuibant, et se ante altaria humiliter prosternebant, praecedentibus eos sacerdotibus cum crucibus et vexillis. Similiter in villis et oppidis faciebant, ita quod a vocibus clamantium ad Dominum resonare videbantur simul campestria et montana.—Super ista vere poenitentia repentina, quae ultra etiam fines Italiae per diversas provincias est diffusa, non solum viri mediocres, sed et sapientes non irrationabiliter mirabantur, cogitantes, unde tantus fervoris impetus proveniret: maxime cum iste modus poenitentiae inauditus, non fuisset a summo Pontifice institutus, qui tunc Anagniac residebat, nec ab aliquo praedicatoris, vel auctorabilis personae industria vel facundia persuasus, sed a simplicibus summis initium, quorum vestigia docti pariter et indocti subito sunt sequuti. Compare the description in the Annals of Herman, abbot of Lower Altaich. († 1275), in J. F. Bohmer's *fontes rerum German.* ii. 516. Dr. E. G. Forstemann's *die christl. Geisslergesellschaften*, Halle, 1828, S. 18. On their songs, and their agreement with those of the Flagellants of 1349, see Hoffmann's *Gesch. d. deutschen Kirchenliedes*, s. 81. The comparison of the Perusini of 1260 and 1282 leads to remarkable reflections, see below, § 86, note 3.

²² Forstemann, l. c. S. 39 ff. [Delolme, *History of the Flagellants among different Nations.* Lond. 1785.]

§ 85.

SYNODAL JUDICATURE.

Ant. Schmidt diss. de Synodis archidiaconalibus et archipresbyteralibus in Germania (in ejusd. thesaurus juris eccles. iii. 314.) Kopp's Nachr. v. d. Verfassung der geistl. u. Civilgerichte in den Hessen-Casseliischen Landen. Cassel, 1769. 1, 140. F. J. Bodmann's Rheingauische Alterthümer. Mainz, 1819. 4. S. 854 ff.

The synodal tribunals, graduated according to the orders into Episcopal, Archdiaconal, and Archpresbyteral Synods,¹ were in many ways a grievance to laymen;² especially after they began to impose fines.³ Accordingly, many communities endeavored to

¹ According to the Sachsen-Spiegel Bk. 1, art 1, the men in high office were to plead in the bishop's synod (cf. Engelberti Archiep. Colon. statuta in Conc. Colon. ann. 1266, c. 14, in Mansi xxiii. 1141: nobiles—ad nostram Synodus noscuntur specialiter pertinere), the holders of office, who had property of their own, in that of the cathedral-provost, i. e. the archdeacon, the occupiers of land, who had no property of their own, in that of the arch-presbyter. In the district of Mayence, the archpriests held their synod annually in their own circuit, the archdeacon every leap-year in his archidiaconate. The archiepiscopal synod was changed in the 13th century into a standing tribunal under the name of the Judges of the Holy See at Mayence. See Bodmann, s. 851, 854, 857.

² On the costly maintenance of the synods, see Bodmann, s. 856.—Soester Stadtrecht aus dem 12. Jahrh. (in Emminghaus memorab. Susat. docum. P. iii. num. 2, p. 121): *Synodus vero sine cavillatione et captiositate est tenenda. Quemcunque Scabinum, quod Eytswere (Synodal-witnesses, Synodal-judges) dicitur teutonice, burgenses statuerint, ipsum Praepositus acceptabit.*

³ So early as 1149 Henry, archbishop of Mayence, determined, *de justitia s. Martini in Sodel* (in Gudenus cod. dipl. i. 193): *Archipresbyter Synodus celebraturus secum duos adducet clericos.—Questum vero synodalium judiciorum in tres partitetur portiones, unam sibi, duas Fratribus.* Alexander III. ad Cantuar. Archiep. in the year 1180 (Decr. Greg. ib. v. tit. 37, c. 3) censured the fines in money: *Accepimus, quod Archidiaconi Conventensis episcopatus pro corrigendis excessibus, et criminibus puniendis, a clericis et laicis poenam pecuniariam exigunt.—Mandamus, quatenus—hoc districtius interdiccas.* Innocentius III. lib. i. ep. 420, allowed them, and thus arose in Germany the persuasion expressed in the Sachsen-Spiegel Bk. iii. art. 63, in the Schwaben-Spiegel, cap. 2, that Constantine granted to Pope Sylvester the power of inflicting a secular ban to the amount of 60 shillings. In the case of those trades in which certain irregularities, for instance, working on Sundays and festivals, were commonly practiced, this fine degenerated into an annual contribution to the members of the synod. Compare the agreement between the archpriest of Mayence, who held the synod in the city, and the magistrate there, in the year 1300, in Wurdwein diocesis Mogunt. in Archidiaconatus distincta, i. 20. *Institores et eorum collegae pro eo quod in festis Sanctorum, quorum vigiliae non jejunantur, ipsorum mercimonia licite exponunt, Archipresbytero singulis annis quatuor solidos denariorum Moguntinorum in festo b. Thomae Apostoli—dare et solvere tenebuntur.* The corduanarii, cerdones, sive Wizgerwer et Rintwarcer, each paid, in festo b. Andreae, unum denarium Moguntinensem: *si vero dicti calcifices et cerdones in festis Sanctorum, quorum vigiliae jejunantur, exposuerint res venales, dicto domino Archipresbytero singuli quilibet hospes unum obulum Pingwensem dabunt, quotiens exposuerint res suas ad vendendum.* —*Caeterum nec Archipresbyter, neque sui nuncii vel scriptores, dictorum calcificum vel*

fetter their jurisdiction by the help of secular power,⁴ or else to set themselves altogether free.⁵

§ 86.

ECCLESIASTICAL PENALTIES.

Planck's Gesch. d. Kirchl. Gesellschaftsverf. Bd. 4. Abschn. 2, s. 272 ff. Raumer's Gesch. d. Hohenstaufen, Bd. 6, s. 209 ff.

From the time of Gregory VII., in the unbroken, continuous warfare of the priesthood against secular power, ban and interdict were so common,¹ and so often employed for causes insufficient²

cerdonum hospitia pro factis seu laboribus inquirendis, quos in domibus exercent, ulla-
nus destinabit.—Item superiores macellarii sive carnifex, ac inferiores, domini Archi-
presbyteri synodum minime frequentabunt, et pro eo praedicti superiores macellarii ipsi
domino Archipresbytero quatuor solidos,—inferiores—quatuor solidos—solvent. Besides
this each of them was to pay annually, unum Rintschinkel aut frustum carnis aequivalens,
et pro eo in festis quibuscumque mactare pecora seu pecudes bene possunt.—Insuper pro
carnibus rancidis aut alias vitiosis—ipse Archipresbyter praedictos carnifex impetrere
per sententiam aliquam non valebit, sed magister forensis, qui Markmeyster vulgariter di-
citur, eosdem carnifex impetrere poterit super eo ac etiam judicare. Deinde superiores
carnifex ipsi Archipresbytero unum solidum Moguntinensem et duas scapulas, nec non
inferiores macellarii quatuor scapulas cum quatuor solidis Mogunt. in septimana Paras-
ceues solvere tenebuntur, et pro eo ipsis carnificibus omnibus et mulieribus quibuscumque
sepum (fat), lardum et sanguinem vendentibus haec gratia est indulta, et jure consuetu-
dinalio et a tempore cuius non extat memoria legitime approbata, quod praedictas mulie-
res seu carnifex per sententias aliquas non impetrat vel contrariabit. Similar regulations follow with regard to the fishermen, whetters, bakers, weavers, gardeners, etc.

⁴ The city of Ghent claimed the privilege of being compelled to allow the Synod once only in every four years, and then that it might punish only, adulteros, incestuosos et usu-
rarios publicos, and only upon an accusation by the sheriffs. In like manner, other towns in Flanders endeavored to fetter the Synod, Warnkonig's flandr. Staats- u. Rechtsgesch. i. 436.

⁵ For instance, in Mayence several trades, see note 3. Thus Otto, duke of Brunswick, in the statutes of the town of Minden ann. 1246 (see Kuchenbecker's Abhandl. v. den Hess. Erbhofamtern Beil. s. 9), declared this town to be free from synodal jurisdiction: likewise Henry I., landgrave of Hesse, with regard to the towns of Grunberg (1272) and Frankenberg (1294), see Kopp. i. 174.

¹ Besides the wars of the Popes, the extension of ecclesiastical jurisdiction also gave occasion to this, see above, § 63, note 24 ff. Afterward the Excommunicationes latae sententiae, introduced by the law of decretals (du Pin de antiqua Eccl. discipl. p. 269).

² Thus Ludolph, bishop of Minden, in 1302, decreed (Hartzheim Conc. Germ. iv. 591), quod quicunque censuales sibi—censum proventuum suorum statuto termino non solve-
rint, et moniti infra xv. dies de hoc non satisfecerint competenter, incurvant excommuni-
cationis sententiam ipso facto. Other instances may be found in Hurter, Innocenz III. iii. 115. Bonifacii P. VIII. Constitutio of 31. May 1302 (in Haeberlin analecta mediæ aëvi, p. 337): Provide attendentes, quod, ut frequentius,—interdicti sententiae proferuntur,
quodque sunt nonnulli judices nimis prompti ad proferendas easdem, etiam in negotiis
sive causis, quae interdum plus cupiditatis, quam ex caritatis radice perspicuis judiciis
procedere arguuntur;—praesentis constitutionis providemus edicto, ut nulla civitas, cas-

or positively unjust, that ecclesiastical punishments hence fell into contempt.³ While the priesthood was thus compelled, on the one side, to mitigate the operation of these penalties in the Church,⁴

trum, villa, locus, territorium vel districtus—supponatur ecclesiastico interdicto pro pecuniariorum debito, etc.

³ Bernoldus Const. chron. ad ann. 1100 (Pertz monum. vii. 467) already complains: Jam multum paene ubique sententia excommunicationis coepit tepescere. Chron. Erphordiense (in Bohmer's fontes rerum Germ. ii. 401): at the Council held at Mayence in the year 1239, the Bishop of Eichstadt represented, quomodo sui ministeriales ac cives Eistatenses jam fere per annum pertinaciter in excommunicatione manentes, diabolica atque haeretica praesumptione ac perversione ipsum Episcopum cum clero sibi favente crudeliter expellendo abjecissent, et laicas personas in Episcopum ac Praepositum et Decanum elegissent, ac ejusdem matricis Ecclesiae sacrissimam infringendo spoliaverint; quomodo etiam ipsorum errorem magnates et potentes quidam de terra foventes perniciose in militia confortaverint, ac qualiter suos fautores, si decesserint, cum musicis instrumentis ad sepulturam conducentes, laetanter sepeliant. The account of a contemporary writer in Memoriale potestatum Regiensium ad ann. 1282 (in Muratori scriptt. rer. Ital. viii. 1151) shows to what extent this prevailed in the 13th century, particularly in Italy: Eodem anno Perusini praeparaverunt se, ut irent ad devastandum Fulignum. Et misit Papa dicendo, quod nullo modo irent: alioquin excommunicaret eos. Erat enim Fulignum ex horto s. Petri. Et non dimiserunt Perusini propter hoc, quin irent. Iverunt igitur, et destruxerunt totum episcopatum illius civitatis usque ad foveas. Excommunicati fuerunt; sed indignati ex hoc, fecerunt Papam et Cardinales de paleis, et traxerunt eos per totam civitatem opprobriose, et traxerunt eos ad quemdam montem, et in cacumine montis combusserunt Papam indutum de Rubeo et Cardinales combusserunt similiter, dicendo: *Iste est talis Cardinalis, et iste talis.*—Nicolaus Ep. Botrontinensis, who has described as an eye-witness the Iter Italicum of Henry VII., records (Muratori ix. 903) that even in the King's Council it was determined (in the year 1311) to ask the cardinal-legate who accompanied him, si ipse posset virtute sua auctoritatis ponere sententiam excommunicationis contra illos, qui nollent obedire, quod requireretur. Ego missus ad dominum Legatum. Copiam suae literae mihi dedit, quae plenissima ad omnia ista facienda erat. Ipse mihi dixit secrete, et voluit quod domino Regi dicerem, quomodo parum Italici curant de excommunicationibus alicubi. Et posuit exemplum de Florentinis, qui sententias domini Ostiensis parum curaverunt. Item de Bononiensibus, qui sententias domini Napoleonis vilipenderunt. Item domini de Peregrue sententias Mediolanenses non curaverunt. Unde nisi gladius materialis eos ducat ratione timoris ad obedientiam, gladius spiritualis non.

⁴ In the case of the ban, for instance: Gregory VII. in Conc. Rom. ann. 1078 (Mansi xx. 506, in Gratian. P. ii. caus. xi. qu. 3, c. 103): Quoniam multis—pro causa excommunicationis perire quotidie cernimus, partim ignorantia, partim nimia simplicitate, partim timore, partim etiam necessitate; devicti misericordia, anathematis sententiam ad tempus, prout possumus, opportune temperamus. Apostolica itaque auctoritate ab anathematis vinculo hos subtrahimus; videlicet uxores, liberos, servos, ancillas, seu mancipia, neconon rusticos servientes, et omnes alias, qui non adeo curiales sunt, ut eorum consilio sclera perpetrentur, et eos, qui ignoranter excommunicatis communicant, sive illos, qui communicant cum eis, qui excommunicatis communicant. Quicunque autem orator, sive peregrinus, aut viator in terram excommunicatorum devenerit, ubi non possit emere, vel non habeat unde emat, ab excommunicatis accipendi licentiam damus. Et si quis excommunicatis non in sustentationem superbiae, sed humanitatis causa dare aliquid voluerit, non prohibemus. In case of interdict: Besides the privileges granted to certain corporations (see Raumer, vi. 216) Alexander III. appointed (Decret. Greg. lib. iv. tit. 1, cap. 11) baptismum parvolorum et poenitentias morientium, in the time of an interdict. Innocent III. (ibid. lib. v. tit. 39, c. 43) charged the Bishop of Ferrara, baptizatos pueros in frontibus consignare: Gregory IX. (ibid. c. 57): semel in hodomada, non pulsatis campanis, voce

it tried, on the other side, every method to aggravate their disadvantageous political consequences.⁵ In Germany it seemed, after long resistance,⁶ to reach the end it had in view during the quarrels in the early part of the 13th century.⁷ In France, however, it could not carry its measures through, even under Lewis IX.⁸

submissa, januis clausis, excommunicatis et interdictis exclusis, Missarum solemnia celebrare, causa conficiendi corpus Domini, quod decadentibus in poenitentia non negatur. Lastly, Boniface VIII. (*Sexti Decretal. lib. v. tit. 11, c. 24*) : A nostris dudum fuit praedecessoribus constitutum, ut in terris seu locis, ecclesiastico suppositis interdicto, nulla (certis casibus et sacramentis exceptis) divina celebrentur officia, vel ministrentur ecclesiastica sacramenta. Quia vero ex districione hujusmodi statutorum exerescit indevotio populi, pullulant haereses, et infinita pericula animarum insurgunt, ac Ecclesiis sine culpa earum debita obsequia subtrahuntur,—concedimus, quod tempore interdicti—non tantummodo morientes, sed etiam viventes, tam sani etiam quam infirmi, ad poenitentiam—licite admittantur, dum tamen excommunicati non fuerint.—Adjicimus practerea, quod singulis diebus in Ecclesiis et monasteriis Missae celebrentur, et alia dicantur divina officia sicut prius, submissa tamen voce et januis clausis, excommunicatis ac interdictis exclusis, et campanis etiam non pulsatis.—In festivitatibus vero natalis Domini, Paschae, ac Pentecostes, et adsumptionis Virginis gloriose, campanae pulsentur, et januis apertis alta voce divina officia solemniter celebrentur, excommunicatis prorsus exclusis, sed in interdictis admissis.

⁵ The ecclesiastical ban was to be immediately followed by secular outlawry : Urbanus II. in *Gratianus P. II. caus. xxiii. qu. 5, c. 47* : Non etiam eos homicidas arbitramur, quos adversus excommunicatos zelo catholice matris ardentes, aliquos eorum trucidasse contigerit.

⁶ Eugenius P. III. epist. ad Wibaldum Abb. ann. 1152 (in *Martene ampliss. collect. ii. 553*) complains on this head, quod in curia Ulmae habita malitiose in Ecclesiarum destructionem noviter est a laicis introductum,—quod qui pro rapinis et incendiis ecclesiasticis bonis illatis excommunicationi subduntur, novo iudicio excommunicatos dedicant (*i. e. negent*), nisi prius in laicorum iudicio damnationis sententia feriantur. (From this passage Harenberg drew his materials for the year 1152 in the forged continuation of the *Corveyer Annalen*, in his *Monumenta historica adhuc inedita*, Brunsvig. 1762, i. 72. On this forgery in general, see the critical examination of the *Chron. Corbejenso* by Hirsch and Waitz, Berlin, 1839, s. 98, 106. Pertz monum. Germ. vii. 2.) Probably these agitations in the imperial court were the result of the Arnoldian maxims prevalent in Rome at that time, which were often enough brought forward by the Romans in their negotiations with the Emperor. (See above, § 51, notes 10 and 29.) Nevertheless, the following passage is to be found in *Sachsenspiegel* Buch 3, Art. 63: *Bann schadet der seile, und nemet doch neymande syn liiff, und krenket neymande to lantrechte, dar en volge des Koninges achte na*, see above, § 55, not. 13.

⁷ Philip of Swabia had offered so early as 1203, generalem legem statuam,—ut quicunque excommunicatus fuerit a domino Apostolico, in banno statim sit imperiali (see above, § 54, not. 16). Frederick II. granted to the German bishops in the *Confoederatio* of 1220 (see above, § 55, not. 1) the rule (in Pertz, iv. 236) : *Excommunicatio non eximat eos a respondendo impetrantibus, sed sine Advocatis; perimat autem in eis jus et potestatem ferendi sententias, testimonia, et alias impetrandi. Et quia gladius materialis constitutus est in subsidium gladii spiritualis; excommunicationem, si excommunicatos in ea ultra sex septimanas perstisset—constiterit, nostra proscriptio subsequetur; non revocanda, nisi prius excommunicatio revocetur.* This rule (between the years 1270 and 1285) was also adopted in the *Schwabenspiegel*, cap. 3.

⁸ Compare especially what his constant companion Joinville relates in his hist. de saint Louis (*Collection des mémoires relatifs à l'hist. de France depuis Phil. Auguste, par Petitot. t. ii. Paris, 1819, p. 185*). At one time the French prelates came together before

This king rather asserted the right in his country to reduce the spiritual power of punishment to its proper limits, where it allowed itself in injustice.⁹

the king, and Guy, bishop of Auxerre, thus addressed him in their name : *Sire, sachez que tous ces prelatz, quicy sont en vostre presance, me font dire, que vous lessez perdre tout la chres-tienté, et qu'elle se pert entre vos mains.* Adonc le bon Roy se signe de la croiz, et dit : *Evesque, or me dites, comment il se fait, et par quelle raison.* *Sire, fist l'evesque, c'est pour ce qu'on ne tient plus compte des excommuniés.* *Car aujourd'hui un homme aymeroit mieulx mourir tout excommunié, que de se faire absouldre, et ne veult nully faire satisfaction à l'Eglise.* *Pourtant, Sire, ilz vous requirent tous à une voiz pour Dieu, et pour ce que ainsi le devez faire, qu'il vous plaise commander à tous vos baillifz, prevostz, et autres administrateurs de justice :* *que où il sera trouvé aucun en vostre royaume, qui aura esté an et jour continuallement excommunié, qu'ilz le contraignent à se faire absouldre par la prisne de ses biens.* Et le saint homme respondit, que tresvolontiers le commanderoit faire de ceulx, qu'on trouveroit estre torçonniers (injurious) à l'Eglise et à son presme (*proximum*). Et l'evesque dit, qu'il ne leur appartenloit à cognoistre de leurs causes. Et à ce respondit le Roy, qu'il ne le feroit autrement. Et disoit, que ce seroit contre Dieu et raison, qu'il fist contraindre à soy faire absouldre ceulx, à qui les clercs feroient tort, et qu'ilz ne fussent oiz en leur bon droit. Et de ce leur donna exemple du conte de Bretaigne, qui par sept ans a plaidoié contre les prelatz de Bretaigne tout excommunié, et finablement a si bien conduite et menée sa cause, que nostre saint Pere le Pape les a condampnez envers icelui conte de Bretaigne. Parquoy disoit, que si dès la première année il eust voulu contraindre icelui conte de Bretaigne à soy faire absouldre, il lui eust convenu laisser à iceulx prelatz contre raison ce qu'ilz lui demandoient outre son vouloir: et que en ce faisant il eust grandement meffait envers Dieu et envers ledit conte de Bretaigne. Après lesquelles choses oyues pour tous iceuls prelatz, il leur suffisit de la bonne responce du Roy; et onques puis ne ouy parler, qu'il fust fait demande de telles choses.

⁹ In the dijudication of Lewis IX. between the archbishop and burghers of Rheims, who had been excommunicated by him (in 1235), we find (*Preuves des libertés de l'église Gall.* ch. xxxvi. no. 3): *Absolvetur autem dicti eives a dicto Archiepiscopo in forma Ecclesiae, et emendabunt injurias eidem Archiepiscopo illatas de quibus isti duo (two royal commissioners) videbunt emendandum esse.*—*Et si quae excommunicationes inventae fuerint injûste latae, pro illis prorsus nulla fiet emenda.* Thus Philip the Bold summons the Bishop of Paris before the next Parliament, after two barons had appealed, ab audiencia vestra ad nostram curiam super quodam judicio tanquam a pravo et falso dato in vestra curia (*ibid* no. 4). Thus the Parliament of Paris, in the year 1303, decides, on the appeal of a certain count, against the Archbishop of Lyons, who had laid his land under an interdict (*ibid.* no. 8), *quod temporalitas praedicti Archiepiscopi Lugdun. ad manum nostram ponetur, et tenebitur, quoisque per ipsum fuerint dicta attemptata—totaliter revocata.* Thus also the Appellationes ab abusu, Appellations comme d'abus, now already begin to appear: the further development of these is said to be due to Peter Cugnieres, advocate general under Philip of Valois, J. P. Brewer's *Gesch d. franz. Gerichtsverfassung*, Th. 2 (Düsseldorf, 1837), s. 40.

SEVENTH CHAPTER.

HISTORY OF THE HERETICAL SECTS.

§ 87.

IN THE TWELFTH CENTURY.

C. du Plessis d'Argentré collectio judiciorum de novis erroribus, qui ab initio duodecimi saeculi usque ad annum 1632 in Ecclesia proscripti sunt et notati. Lutet. Paris. (Tomi iii. 1728. fol.), T. I. J. C. Fuesslin's Kirchen- und Ketzerhistorie der mittlern Zeit (3 Theile, Frankf. u. Leipz. 1770–74), i. 56. H. Schmid der Mysticismus des Mittelalters in seiner Entstehungsperiode. Jena, 1824, s. 433 ff. Dr. Chr. v. Hahn's Geschichte d. Ketzer im Mittelalter, bes. im 11. 12. u. 13. Jahrh. (2 Bde. Stuttgart, 1845–50), Bd. 1, Gesch. d. neumanichäischen Ketzer. [Aug. Sartori, die christlichen u. mit d. christl. Kirche zusammenhangenden Secten. Lübeck, 1855. Schmidt, Histoire des Cathares, 2, 8., 1849. Cf. Stud. u. Krit. 1850, Hahn; Arnold's Theol. Critic, No. 4, 1851; C. Schmidt, in Reuss's Beiträge, 1851; Ritual of Cathari, Cunitz in Beiträge, 1853. 4. Albigenses and Cathari, Lond. Quart. vii. 1855.]

While the hierarchy, unmindful of its spiritual calling, was entangling itself in ceaseless warfare, in order to bring all secular power under its sway ; while the system of ecclesiastical doctrines, with its progressive development, was inclosing the reason with ever-contracting bonds ; while the means of salvation held out by the Church were at the same time more and more losing their spiritual character, and their moral power, by the one-sided speculations of the schoolmen, and also sinking to a lifeless mechanism in their administration by a coarse priesthood which had lost all respect for morality ; lastly, while this tortuous Church system, despairing of any spiritual influence, was endeavoring to win consideration for itself by continual acts of external aggression ; it could not but be, that the rebellions against the Church, which in earlier times came forward only one by one, should now be growing more numerous and more powerful. The earlier controversies in the Church were for the most part only speculations of the understanding ; and for this very reason the Church always succeeded, so soon as she could adopt strong measures, in bringing back the recusants ; for the interest in notions morally indifferent could seldom remain through many generations unconquered by persecution. But a living moral power lay at the root of the opposition to the Church which now began to make progress, and which felt

itself injured by the whole condition of the Church ; and for this very reason this opposition was rather strengthened than weakened by the bloodshed resorted to as a means to destroy it ; it stood always unconquered, although the opposing parties differed widely from each other in the peculiarities of their systems, and modified them in many ways.

At the same time that two frantic enthusiasts, Tanchelm,¹ who wandered about from 1115 to 1124 in the Netherlands, and Eudo de Stella or Eon,² who roved till 1148 in Brittany, perplexed the

¹ With regard to him compare especially the epist. Trajectensis Ecclesiae ad Frid. Archiep. Coloniensem (in Seb. Tengnagel collect. vett. monumentorum contra Schismaticos. Ingolst. 1612, p. 368; Act. SS. Junii i. 845; d'Argentré collect. judicior. i. 11): In maritimis primum locis rudi populo et infirmioris fidei venenum perfidiae suae miscuit, et per matronas et mulierculas—errores suos paulatim spargere coepit: deinde per has conjuges etiam ipsos perfidiae suae laqueis irretivit. Nec jam in tenebris vel cubiculis, sed super tecta praedicare incipiens, in patentibus campis late circumfusae multitudini sermocinabatur: et veluti Rex concionatorus ad populum, stipatus satellitibus, vexillum et gladium praferentibus, velut cum insignibus regalibus, sermonem facturus, procedere solebat.—Declamabat, Ecclesias Dei lupanaria esse reputanda; nihil esse quod sacerdotum officio in mensa dominica conficeretur; pollutiones, non sacramenta nominanda; ex meritis et sanctitate ministrorum virtutem sacramentis accedere:—dehortabatur populum a perceptione sacramenti corporis et sanguinis Domini, prohibens etiam decimas ministris Ecclesiae exhiberi.—Talibus nequitiae successibus misero homini tanta sceleris accessit audacia, ut etiam se Deum diceret, asserens, quia si Christus ideo Deus est, quia Spiritum sanctum habuisset, se non inferius nec dissimilius Deum, quia plenitudinem Spiritus sancti accepisset. In qua praeumptione adeo illusit, ut quidam in eo divinitatem venerarentur, in tantum, ut balnei sui aquam potandam stultissimo populo pro benedictione divideret, velut sacrarius et efficacius sacramentum profuturum saluti corporis et animae. Accordingly, he even celebrated his espousals with the Holy Virgin. Hoc ad summam dixisse sufficiat, res divinas in tantum venisse contemptum, ut reputetur sanctior, cuiuscumque fuerit Ecclesia despectior. He stirred up still greater disturbances in Antwerp, which continued even after his death; so that they were obliged to call in St. Norbert to their assistance, cf. Vita Norberti, § 36, in Acta SS. Jun. i. 843. From the same source draws Sigeberti contin. Praemonstratensis in Pertz, viii. 449 (not Robertus de Monte). U. P. Okken diss. de priva religionis christ. medio aevo inter Nederlandos progressae natura, Groningae, 1846, p. 43. Hahn's Gesch. d. Ketzer im Mittelalter, i. 459.

² On him writes particularly Willelmus Neubrigensis (about 1197), de rebus Anglicis, lib. i. c. 19 (d'Argentré, i. 36): Eudo is dicebatur, natione Brito, agnomen habens de Stella, homo illiteratus et idiota, ludificatione daemonum ita dementatus, ut, cum sermone Gallico *Eon* diceretur (in a Contin. Sigeberti in Pertz, viii. 389, he is called Eunus, his followers Eunitae), ad suam personam pertinere crederet, quod in ecclesiasticis exorcismis dicitur, scilicet “per eum, qui venturus est judicare vivos et mortuos et saeculum per ignem.” Ita plane fatuus, ut *Eon* et *eum* nesciret distinguere, sed supra modum stupenda caecitate crederet, se esse dominatorem et judicem vivorum et mortuorum. Eratque per diabolicas praestigias tam potens ad capiendas simplicium animas, ut—seductam sibi multitudinem aggregaret, quae tota illum tanquam dominum dominorum individue sequeretur. Et interdum quidem mira velocitate per diversas provincias ferebatur: interdum vero morabatur cum suis omnibus in locis desertis et inviis, moxque, instigante diabolo, erumpente improvisus, Ecclesiarum maxime, ac monasteriorum infestator. By help of this the common saying about this multitude may be explained; pretiose induit, splen-

minds of men ; two ecclesiastics in Southern France, the priest, Peter of Bruis³ (from 1104–1124, Petrobrusiani), and Henry, for-

dide epulati, et in summa laetitia agere videbantur ; but all this was but a fantastic appearance got up by devils, a quibus scilicet misera illa multitudo non veris et solidis, sed aeris potius cibis in locis desertis alebatur.—Sane cum pestifer ille ita debaccharetur,—saepius a Princepsibus ad vestigandum et persecendum eum exercitus frustra mittebatur : quae-situs enim non inveniebatur. Tandem vero fraudatus ope daemonum, cum non amplius per illum debacchari sincerentur (non enim nisi a superioribus justo Dei judicio relaxan-tur), levi negotio a Remensi Archiepiscopo comprehensus est. It seems that the work of Hugo, archbishop of Rouen, composed in the year 1145, dogmatum christiane fidei contra haereticos sui temporis, libb. iii. (Bibl. PP. Lugd. xxii. 1340), was aimed at him ; he was, as he says in the introduction, actively engaged with the Papal legate, Albericus Episc. Ostiensis, at Nantes in combating the heresy, quae in Armorica tunc scatabant, and com-posed this work by his persuasion. The heretics whom he opposed taught (lib. i. c. 11) : Sacra-menta solummodo prosunt scientibus, non ignorantibus, adultis prosunt, parvulis nihil conferunt. Condemnat isti baptismus parvolorum et infantium,—et dicunt : in Evan-gelio legitur : *qui crediderit et baptizatus fuerit, salvus erit* ;—sed parvuli non credunt,—igit-ur baptismata parvulis non prosunt.—(c. 13.) Si ex fide justificatio, et salus ex baptis-mo, quid creditibus et baptizatis, justificatis et salvatis confirmatio manu facta Pontifi-cis superponit ?—(lib. iii. c. 2.) De corona clericali, de hac forma regali, de hoc signo Jesu Christi haereticici quaestionem faciunt, maxime illi, qui a Clero deciderunt, et ad haer-esim transierunt. Unde, inquit, unde corona haec accepit initium ? Quid nobis coro-na haec ?—(c. 4.) Haereticici—tenent secum mulierculas undecunque conductas, non sub debito consanguinitatis, sed sub contubernio privatae libidinis. Dicunt, se communem in domiciliis suis vitam ducere, et more apostolico secum mulieres habere. Proponunt, quia Paulus ait : *Numquid non habeo potestatem circumducendi mulieres, sicut Cephas et alii Apostoli?* (1 Cor. ix. 5.) Igitur et nos formam apostolicae vitae servamus, qui mulieres non abjecimus. He was brought before Eugene III. in the Council at Rheims in 1148, and de-clared himself also here to be him, qui venturus est judicare, etc. —Jussus autem ex de-creto Concilii, ne pestis iterum serperet, diligenter custodiri, tempore exiguo supervixit. Petri Cantoris (Parisiensis, † 1197) verbum abbreviatum (ed. G. Galopinus, Montibus, 1639. 4.), p. 200 : In Remensi Concilio, praesidente Papa Eugenio, quidam Manichaeus, convictus et confessus haeresim suam, de communi decreto incarceratus est, non inter-fectus, non membro mutilatus, sed ne alios corrumperet, et si forte poeniteret, in carcere Samsonis, ejusdem civitatis Archiepiscopi, positus, aqua et tenui diaeta altus est donec obiret. This passage runs thus in the Codex Marchianensis (App. p. 21) : Eugenio Papa residente in Remensi Concilio praesentibus Cardinalibus, Archiepiscopis, Episcopis, et viris literatis et authenticis Euus de Steila, Britto, quadam fata haeresi corruptus est. Et confessus dicebat se illum Eum, qui vivit et regnat in saecula, et quaedam alia bruta, ut brutus, dicebat et asserebat. Non tamen est ibi morti adjudicatus, sed Samson Archie-piscopus tenuit eum in vinculis, et pane et aqua vitam finivit, et sic neminem postea cor-ruptit. According to Robertus de Monte chron. ad ann. 1148 (in Pertz, viii. 498), Eudo died, in turri Archiepiscopi Rhemensis, but according to Otto Frising. de gest. Frider. lib. i. c. 54, 55, in the monastery of St. Denys.

³ Petri Venerabilis Abb. Clun. epist. ad Arelatensem, Ebredunensem Archiepp., Dien-sem, Wapiensem Episcopos adv. Petrobrusianos haeret. (in M. Marrier et A. Quer-cetani bibl. Cluniac. p. 1117 s., and Bibl. PP. Lugd. xxii. 1033). The confutation itself was written in the lifetime of Peter of Bruis, the preface after his death, in the year 1126 or 1127 (Fuessli i. 200). In the former (Bibl. PP. Lugd. xxii. 1035) : In partibus vestris populi rebaptizati, Ecclesiae prophanatae, altaria suffossa, cruces succensae, die ipso passionis dominicae publice carnes comedentes, sacerdotes flagellati, monachi incarceratedi, et ad du-cendas uxores terroribus sunt ac tormentis compulsi. Et harum quidem pestium capita, tam divino auxilio quam Catholicorum Principum adjutorio a vestris regionibus extur-bastis : sed supersunt—membra, lethifero adhuc, sic ipse nuper sensi, veneno infecta, ad

merly a monk of Cluny and deacon⁴ (from 1116–1148, Henriciani),

quae curanda Dei est misericordia invocanda, et vestra medicinalis diligentia adhibenda. —Anguis lubricus de regionibus vestris elapsus, immo vobis prosequentibus expulsus, ad Narbonensem provinciam sese contulit, et quod apud vos in desertis et villulis cum timore sibilabat, nunc in magnis conventibus et populosis urbibus audacter praedicit. Putabam Alpes gelidas, et perpetuis nivibus opertos scopulos incolis vestris barbariem invexisse,—itaque agrestibus et indoctis hominum moribus [*mentibus?*] peregrinum dogma facilius irrepsisse. Sed hanc opinionem meam ultima rapidi Rhodani littora et circumiacens Tolosae planities, ipsaque urbs vicinis populosior expurgat, quae adversus falsum dogma tanto cautior esse debuit, quanto—doctior esse potuit. Suscepit enim—Anti-christi preambulos.—O miseri quicumque estis homines,—non multis gentibus, sed duabus tantum homuncionibus, *Petro de Bruis*, et *Heinrico* ejus *Pseudo-Apostolo* tam facile cessistis! In the preface, written after Peter's death, he thus states his five errors (prima errorne dogmatis semina a Petro de Bruis per xx. fere annos sata et aucta, quinque prae-cipua et venenata virgulta producerunt): *Primum* haereticorum capitulum negat, parvulos infra intelligibilem aetatem constitutos Christi baptismate posse salvari, nec alienam fidem posse illis prodesse, qui sua uti non possunt,—Domino dicente: *Qui crediderit et baptizatus fuerit, salvis erit*, etc. *Secundum* Capitulum dicit, templorum vel Ecclesiarum fabricam fieri non debere, factas insuper subrui oportere, nec esse necessaria Christianis sacra loca ad orandum, quoniam aequa in taberna et in Ecclesia, in foro et in templo, ante altare vel ante stabulum invocatus Deus audit, et eos qui merentur exaudit. *Tertium* Capitulum, cruces sacras confringi praeccipit, et succendi, quia species illa vel instrumentum, quo Christus tam dire tortus, tam crudeliter occisus est, non adoratione, non veneratione, vel aliqua supplicatione digna est, sed ad ultiōnem tormentorum et mortis ejus, omni dedecore de honestanda, gladiis concidenda, ignibus succendenda est. *Quartum* Capitulum non solum veritatem corporis et sanguinis Domini quotidie et continue per sacramentum in Ecclesia oblatum negat, sed omnino illud nihil esse, neque Deo offerri debere decernit. (In the refutation, p. 1057, he quotes their own words: *Nolite, o populi, Episcopis, Presbyteris, seu clero vos seducenti credere, qui sicut in multis, sic et in altaris officio vos decipiunt, ubi corpus Christi se conficere, et vobis ad vestrarum animarum salutein se tradere mentiuntur. Mentiuntur plane. Corpus enim Christi semel tantum ab ipso Christo in coena ante passionem factum est, et semel, hoc est, tunc tantum, discipulis datum est. Exinde neque consecutum ab aliquo, neque alicui datum est.*) *Quintum* Capitulum sacrificia, orationes, eleemosynas et reliqua bona pro defunctis fidelibus a vivis fidelibus facta deridet, nec ea aliquem mortuorum vel in modico posse juvare affirmat. In the refutation he adds to this, p. 1079: addunt haeretici, irrideri Deum cantibus ecclesiasticis, quia qui solis piis affectibus delectantur, nec altis vocibus advocari, nec musicis modulis potest mulceri. Hahn, i. 408. Neander, V. fi. 802.

⁴ Acta Episcoporum Cenomanensium, cap. 35, de Hildeberto Episc. (in Mabillonii vetera analecta T. iii. p. 312, ed. ii. p. 315). In the year 1116, Henry had attracted notice in the surrounding neighborhood, by his severe course of life and effective preaching. Those who had seen him, publice testabantur, numquam se virum attractasse tantae rigiditatis, tantae humanitatis et fortitudinis: cuius affatu cor etiam lapideum facile ad compunctionem posset provocari. Accordingly, in Mans he was received with honor by Hildebert, who immediately afterward traveled to Rome, and by the clergy, as well as by the common people: Caeterum dum orationem haberet ad populum, eisdem clericis ad pedes ejus residentibus et flentibus, tali resonabat oraculo, ac si daemonum legiones uno hiato ejus ore murmur exprimerent. Verumtamen mirum in modum facundus erat: cuius sermo ita mentibus vulgi per aures infusus haerebat, quasi recens venenum, etc. — Qua haeresi plebs in clerum versa est in furorem, adeo quod famulis eorum minarentur cruciatus, nec eis aliquid vendere, vel ab eis emere voluissent: immo habebant eos sicut ethnicos et publicanos. Praeterea non tantum aedes eorum obruere, et bona dissipare, sed illos lapidare aut affigere patibulo decreverant, nisi Princeps et optimates ejus—resisterent. Further still, dogmatizabat novum dogma, quod foeminae, quae minus caste vixe-

declaimed zealously against ecclesiastical mechanism and the immorality of the clergy. But besides these, the Manicheans, whose origin is to be traced to the preceding period, were continually on the increase (see Div. i. § 46), the most common names for them

rant, coram omnibus vestes suas cum crinibus nudaee comburerent: nec quilibet amplius aurum, argentum, possessiones, sponsalia cum uxore sumeret, nec illi dotem conferret: sed nudus nudam, debilis aegrotam, pauper duceret egenam, nec curaret, sive caste sive inceste connubium sortiretur.—Ex jussu illius plebis actio pendebat universa et affectus. Tanta auri, tanta argenti affluentia, si vellet, redundaret, ut opes omnium solus videretur possidere. Lieet plane multa ricerperet, tamen parcerat cupiditati, ne nimis ambitiosus videretur. Verumtamen plura sibi retinens, pauca ad restaurationem pannorum, qui incensi fuerant, conferebat. Ejus quoque admonitu multi juvenum ducebant venales mulieres, quibus ipse pannos pretio iv. solidorum emebat, quo nuditate suam tantummodo supertegerent. When the Bishop Hildebert returned from Rome, and wished to bless the people, they cried out against him: *Nolumus scientiam viarum tuarum, nolumus benedictionem: coenum benedic, coenum sanctifica: nos habemus patrem, habemus pontificem, habemus advocateum, qui te excedit auctoritate, excedit honestate, excedit scientia.* *Huic clericu iniqui, clerici tui adversantur, ejus doctrinae contradicunt, hunc quasi sacrilegum detestantur et respunnt, verentes quod eorum scelerata denudaret propheticō spiritu, et haeresim suam et corporis incontinentiam privilegio condemnaret literarum [divinarum].* Hildebert indeed banished him, but, plebem Henricus sic sibi illexerat, quod vix adhuc memoria illius et dilectio a cordibus eorum deleri valeat vel depelli. At this time Henry seems to have joined himself to Peter of Bruis, see above, note 3. Peter Vener. l. c. in the Preface, p. 1034: Sed post rogum Petri de Bruis, quo apud s. Aegidium (St. Gilles) zelus fidelium flamas dominicae crucis ab eo succensas eum concremando ultus est,—haeres nequitiae ejus Heinricus cum nescio quibus aliis doctrinam diabolicam non quidem emendavit, sed immutavit, et sicut nuper in tomo, qui ab ore ejus exceptus dicebatur, scriptum vidi, non quinque tantum, sed plura capitula edidit.—Sed quia eum ita sentire vel praedicare nondum mihi plene fides facta est, differo responsonem. About 1134 Henry was in Provence (*Acta Episc. Cenoman. c. 36, l. c. p. 323*): Aurem suam tantum historiae et literae prophetarum accommodans, dogmatizabat perversum dogma, quod fidelis Christianus nec retractare debet nec crudire. Sed misericordia Dei—ille Henricus ab Arclatensi Archiepiscopo captus est, et domino Papae Innocentio *Pisis* in authenticō Concilio (1134) praesentatus, ibique iterum convictus et generaliter haeticus appellatus, ad postremum carcere mancipatur. Cui postquam permisso concessa est abeundi ad aliam provinciam, nova secta, novo cursu, novum iter assumpsit delinquendi: quam protinus ita turbavit, quod minime Christiani Ecclesiarum adirent limina, sed divinum contemnentes mysterium, sacerdotibus oblationes, primitias, decimas, infirmorum visitationes, et solitam denegabant reverentiam. Henry labored in Languedoc with great success, at the time when Eugene III. sent out against him, in the year 1147, the Cardinal Albericus (see note 2) and St. Bernard. This last announces his commission in a letter (*Bernardi epist. 241*) to Ildefons, count of St. Gilles and Toulouse, a favorer of Henry. It bears as strong testimony to Henry's remarkable activity in that region, as it is full of passion, and false accusation against him. On the consequences of the embassy, see *Bernardi vita auct. Gaufrido mon. lib. iii. c. 6*. Bernard conquered, Henry was taken prisoner and given over to the Bishop of Toulouse. Albericus Monachus Triumfontium, about 1240, multiplied the errors concerning Henry, for he thought him the same person with Eudo. He copies, ad ann. 1148 and 1149, the passages of the Contin. Gemblacensis Sigeberti on Eunus (*Pertz, viii. 389, 390*), and puts Henricus instead of Eunus, thinking perhaps of the German Heinz. At the same time he appeals to Peter Cantor, for he refers the passages of this writer concerning Eunus (see above, note 2) likewise to Henry. Hence arose the common mistake that Henry was condemned by the Pope in the council at Rheims (1148), and died there in the archbishop's prison. Thus even Hahn, i. 450, and Neander, v. ii. 814, are to be corrected.

now were, in Germany, Cathari, Ketzer;⁵ in Italy, Paterini;⁶ in France, Publicani; but many other names were in use:⁷ not only did they make their appearance permanently in most distant quarters of France,⁸ but they also planted themselves in the neighbor-

⁵ Eberti (about 1163) serm. 1, adv. Catharos in the Bibl. pp. Lugd. xxiii. 601: *Hos Germania nostra Catharos—appellat.* In this passage he plainly has the German word Ketzer in his mind, which about that time was already in common use (see in the Minnesingers in Maness Sammlung, ii. 129, 145, 211, etc.). On the derivation of the name, see l. c. p. 602: *Cathari originem habuerunt a quibusdam discipulis Manichaei, qui olim Catharistae dicebantur, i. e. pugatores* (cf. Augustin. de haeres. c. 46). The Italian form of Catharus was gazaro (Stephanus de Borbone in d'Argentre, i. 90: *Dicuntur a Lombardis Gazari vel Pathari*), and it seems that the German form Ketzer was created immediately out of this Italian form. The derivation of this name from the district of Gazaria or Chasaria, according to Mosheim's *Versuch einer Ketzergeschichte*, s. 367, is without foundation, for this country never makes its appearance at this time as a heretical district, and Ebert, to whom the derivation of the newly-risen name of Ketzer must have been known, gives it otherwise. Hatred soon began to play upon arbitrary etymologies of this name in the same manner as with the name of Waldenses (see below, § 88, note 2), see Alanus contra haereticos sui temporis lib. i. c. 63: *Hi dicuntur Cathari, i. e. diffuentes per vitia, a Catha, quod est fluxus; vel cathari, quasi casti, quia se castos et justos faciunt. Vel Cathari dicuntur a cato, quia, ut dicitur, osculantur posteriora catti, in cuius specie, ut dicunt, appetit eis Lucifer.* The last-mentioned etymology, possible as it is in the German language (Katz, Ketzer), quickly spread every where, together with the fable attached to it (a similar circumstance happened with regard to certain names of Montanist sects, vol. i. Div. i. § 48, note 22), compare J. Grimm in the *Wiener Jahrbücher*, Bd. 32, (1825), s. 216 t.

⁶ This name, which in earlier times the adherents of Rome had received in Milan as enemies to the marriage of priests (see Div. i. § 31, note 10), was afterward transferred to the enemies of marriage in general.

⁷ Ebertus l. c. p. 601: *Hos nostra Germania Catharos, Flandria Piphles, Gallia Texrant ab usu texendi, appellat.* (In Southern France weaving seems to have been the standing employment of the Perfecti. Thus in the year 1220 an institution was set on foot at Cordes, in which young people, under pretext of being brought up for hand-loom weaving, might be in fact educated for the ministry in this sect; see C. Schmidt in d. Strassburger Beiträgen zu d. theolog. Wissenschaften, Jena, 1847, i. 124, from manuscript sources.) Auctarium Aquicinctinum ad ann. 1183 (see below, note 8): *quidam dicunt illos Manichaeos, alii Cataphrygas, nonnulli Arianos* (insomuch as they considered Christ far inferior to the Father), Alexander autem Papa vocat eos Paterinos. Concerning all these names, see Fuessli, i. 38. Schmid, s. 435. Hahn, i. 49. The names Bulgari and Albigenenses first came into general use in the 13th century. See below, § 90, note 12.

⁸ About 1101 in Agen, see Radulphus Ardens, chaplain to the Duke of Aquitania, sermo dominica viii. post Trin. (Sermones ed. Colon. 1604. 2. Tom. 8, this passage is in d'Argentré, i. 9). About 1115 in Soissons, see Guibertus Abb. s. Mariae Novigenti in vita sua lib. iii. c. 16 (in Opp. ed. L. d'Achery, Paris, 1651. fol. and in d'Argentré, i. 8). c. g. Haereticos hic nefandus Suessorum comes amabat;—per Latinum conspersi sunt orbem;—conventieula faciunt in hypogeiis aut penetralibus abditis. Guibert himself assisted Bishop Lisiardus in this persecution. About 1140, in Perigueux in Aquitania, see Heriberti Mon. epistola (in Mabillonii analecta, p. 483. d'Argentré, i. 35): *Surrexerunt in Petragoricensi regione quam plures haeretici, qui se dicunt apostolicam vitam ducere: carnes non comedunt, vinum non bibunt, nisi permodicum tertia die: centies in die genua flectunt, pecunias non recipient: illorum secta valde perversa est et occulta. Gloria Patri non dicunt, sed: Pro gloria Patri, quoniam regnum tuum, et tu dominaris universis creaturis in saccula saccularum, Amen. Eleemosynam nihil esse, quia unde fieri possit, nihil*

ing countries. In the Rhine provinces⁹ a sect similar to the Petrobrusians and Henricians diffused itself together with and alongside of them. This last showed itself about 1115 in the neighborhood of Treves;¹⁰ about 1146 it appeared in such strength at

debere possideri. Missam pro nihilo ducunt, neque communionem percipi debere dicunt, sed fragmentum panis.—Crucem seu vultum Domini non adorant, sed adorantes prohibent, ita ut ante vultum Domini dicant: “O, quam miseri sunt, qui te adorant, Psalmo digente, *Simulacra gentium, etc.*” In hac seductione quam plures jam, non solum nobiles propria relinquentes, sed et clerici, presbyteri, monachi et monachae pervenerunt. Nullus enim tam rusticus est, si se eis conjunxerit, quin infra octo dies tam sapiens sit literis, ut nec verbis, nec exemplis amplius superari possit. Nullo modo detineri possunt—Diabolus eos liberante, etc. Alia quoque permulta et mira faciunt. Princeps eorum Pontius vocatur.—About 1144 in Liege, see Epist. Eccl. Leodiensis ad Lucium P. II. (in Martene et Durand ampl. collect. i. 776). Some heretics had come thither, a Monte-Guimari, quo nomine quidam vicus in Francia dicitur (probably Monte-Limarii, now Montelimart, on the Rhone, in Dauphigny). The people wished to burn them, but the clergy rescued most of them: paene omnes ab instanti supplicio, de ipsis meliora sperantes, vix tamen eripuimus. Haeresis haec diversis distincta est gradibus: habet enim auditores, qui ad errorem initiantur; habet credentes, qui jam decepti sunt; habet Christianos suos, habet sacerdotes, habet et caeteros Praelatos, sicut et nos. Hujus haeresis nefanda blasphemiae sunt, quod in baptismo peccata remitti negat, quod sacramentum corporis et sanguinis Christi inane reputat, quod per impositionem pontificalis manus conferri nil asseverat, quod neminem Spiritum sanctum accipere credit, nisi bonorum operum praecedentibus meritis, quod conjugium damnat, quod apud se tantum Ecclesiam catholicam esse praedicat, quod omne juramentum velut crimen judicat. Hi tamen, qui hujus sceleris sectatores sunt, sacramentis nostris ficte communicant ad nequitiae suae velamentum.—Ab his, qui a nobis comprehensi sunt, accepimus, omnes Gallici regni atque nostri civitates hujus erroris veneno ex parte magna infectae sunt.—About 1180 in Rheims, see Radulphus Cogeshalensis mon. (Ex. ms. in Jo. Picordi notis ad Guil. Neubrigensem, p. 724, in d'Argentré, i. 59); among other things, cum error quorundam haereticorum, qui vulgo appellantur Publicani, per plures Galliae provincias prosperebat, etc.—In the year 1183 in Arras (as already in 1025, see Div. i. § 46, note 4), see Auctarium Aquicinctinum ad ann. 1183 (in Rerum toto orbe gestarum chronica ed. A. Miraeus, Antwerp. 1608. 4): in civitate Atrebateni—multarum haeresium fraudes per quandam mulierem—sunt detectae. Isti haeretici nullius haeresiarchae muniuntur praesidio: quidam dicunt illos Manichaeos, alii Cataphrygas, nonnulli Arianos, Alexander autem Papa vocat eos Paterinos. Sed quicquid sint,oris proprii confessione convicti sunt haeretici immundissimi. Multi sunt in praesentia Archiepiscopi et Comitis accusati: nobiles, ignobiles, clerici, milites, rustici, virgines, viduae, uxoratae. Tunc decretalis sententia ab Archiepiscopo et Comite praefixa est, ut comprehensi incendio tradarentur, substantiae vero eorum sacerdoti et Principi resignarentur.—In the year 1200 in Besançon, see Caesar. Heisterbac. Miraculorum lib. v. c. 18 (d'Argentré, i. 46).—In the year 1201 in Paris (Mon. Autissiodor. p. 96. d'Argentré, i. 62): Evraudus miles—haeresis illius, quam Bulgarorum vocant, arguitur. Comp. Sandii nucleus hist. eccl. Colon. 1676. 4. p. 395.

⁹ The passage in the annals of Corvey, on the Manichaeans in Swabia and Bavaria, belongs to the continuation forged by Harenberg, see above, § 86, note 6.

¹⁰ See Gesta Trevirorum edd. Wytenbach et Müller, i. 186: Ivodii (Ivois formerly belonging to Luxemburg, now to France), quod Trevericea dioecesis appenditum est, fuerunt eo tempore haeretici, qui substantiam panis et vini, quae in altari per sacerdotes benedicitur, in corpus et sanguinem Christi veraciter transmutari negabant, nec baptismi sacramentum parvulis ad salvationem proficere dicebant, et alia perplura profitebantur erronea, quae memoriae tradere nefas duxi. There were two presbyters and two laymen apprehended.

Cologne in connection with the Cathari, that Evervin, provost at Steinfeld, applied to St. Bernard for aid;¹¹ and soon after, in 1163,

¹¹ Evervini Praepos Steinfeldensis epist. ad Bernardum (in Mabillonii *analecta*, p. 473, in *d'Argentré*, i. 33): *Nuper apud nos juxta Coloniam quidam haeretici (Cathari) detecti sunt, quorum quidam cum satisfactione ad Ecclesiam redierunt. Duo ex eis, scil. qui dicebatur Episcopus eorum cum socio suo, nobis restiterunt in conventu clericorum et laicorum, praesente ipso domino Archiepiscopo cum magnis viris nobilibus, haeresim suam defendentes ex verbis Christi et Apostoli.* Sed cum vidissent, se non posse procedere, petierunt, ut eis statueretur dies, in quo adducerent de suis viro fidei suac peritos: alioquin se velle potius mori, quam ab hac sententia deflecti. Quo auditio cum per triduum essent admoniti, et resipiscere noluissent, rapti sunt a populis nimio zelo permotis, nobis tamen invitatis, et in ignem positi atque cremati, et (quod magis mirabile est) ipsi tormentum ignis non solum cum patientia, sed et cum laetitia introierunt et sustinuerunt. Hic, sancte Pater, vellem, si praesens essem, habere responsionem tuam, unde istis Diaboli membris tanta fortitudo in sua haeresi, quanta vix etiam invenitur in valde religiosis in fide Christi. Hacc est haeresis illorum: Dicunt apud se tantum Ecclesiam esse, eo quod ipsi soli vestigis Christi inhaereant, et apostolicae vitae veri sectatores permaneant, ea quae mundi sunt non querentes, non domum, nec agros, nec aliquid peculium possidentes, sicut Christus non possedit, nec discipulis suis possidenda concessit. *Vos autem dicunt nobis, domum domui et agrum agro copulatis, et quae mundi sunt hujus, queritis: ita etiam, ut, qui in vobis perfectissimi habentur, sicut Monachi vel Regulares Canonici, quamvis haec non ut propria, sed possident ut communia, possident tamen haec omnia.* De se dicunt: *Nos pauperes Christi, instabiles, de civitate in civitatem fugientes, sicut oves in medio luporum, cum Apostolis et Martyribus persecutionem patimur:—Vos autem mundi amatores cum mundo pacem habetis, quia de mundo estis.* *Pseudo-Apostoli adulterantes verbum Christi, [qui] quae sua sunt quaesiverunt, vos et patres vestros exorbitare fecerunt: nos et patres nostri, generati Apostoli, in gratia Christi permansimus.* —In cibis suis vetant omne genus lactis, et quod inde conficitur, et quicquid ex coitu procreatur. —In sacramentis suis velo se tegunt: tamen nobis aperte confessi sunt, quod in mensa sua quotidie cum manducant, ad formam Christi et Apostolorum cibum suum et potum in corpus Christi et sanguinem per dominicam orationem consecrant, ut inde se, membra et corpus Christi, nutritant. Nos vero dicunt in sacramentis non tenere veritatem, sed quandam umbram et hominum traditionem. Confessi sunt etiam manifeste, se praeter aquam in ignem et spiritum baptizare, et baptizatos esse. —Et talem baptismum per impositionem manuum debere fieri conati sunt ostendere testimonio Luecae, qui in Act. Apost. describens baptismum Pauli, quem ab Anania suscepit ad praeceptum Christi, nullam mentionem fecit de aqua, sed tantum de manus impositione: et quicquid invenitur tam in Actis Apost. quam in Epistolis Pauli de manus impositione, ad hunc baptismum volunt pertinere: et quemlibet sic inter eos baptizatum dicunt *Electum*, et habere potestatem alios, qui digni fuerint, baptizandi, et in mensa sua corpus Christi et sanguinem consecrandi. Prius enim per manus impositionem de numero eorum, quos *Auditores* vocant, recipiunt eum inter *Credentes*, et sic licebit eum interesse orationibus eorum, usque dum satis probatum eum faciant *Electum*. De baptismo nostro non curant. Nuptias damnant, sed causam ab eis investigare non potui: vel quia eam fateri non audebant, vel potius quia eam ignorabant. Sunt item alii haeretici quidam (Henricians called by Ekbert, serm. v. below, note 12, sequaces Hartwini, after their chief at Cologne) in terra nostra, omnino ab istis discordantes, per quorum mutuam discordiam et contentionem utrique nobis sunt detecti. Isti negant in altari fieri corpus Christi, eo quod omnes sacerdotes Ecclesiae non sunt consecrati. *Apostolica enim dignitas, dicunt, corrupta est, implicans se negotis saecularibus: et in cathedra Petri non militans Deo, sicut Petrus, potestate consecrandi, quae data fuit Petro, se privavit: et quod ipsa non habet, Archicopisci et Episcopi, qui in Ecclesia saeculariter vivunt, ab eo non accipiunt, ut alios consecrare possint.* —Et ita evacuant sacerdotium Ecclesiae, et damnant sacramenta, praeter baptismum solum, et hunc in adultis, quos dicunt baptizari per Christum, quicunque sit minister sacramentorum. De baptismo parvulorum fidem non habent, propter illud

Egbert, brother of St. Elizabeth, and Abbot of the Monastery of St. Florin in Schönau, had to be called in to combat this proselyting heresy.¹² The Cathari came to England in the year 1159; they were, however, quickly exterminated.¹³

de Evangelio : *Qui crediderit et baptizatus fuerit, salvus erit.* Omne conjugium vocant fornicationem, praeter quod contrahitur inter utrosque virgines, masculum et foeminam (with reference to Matth. xix. 6, 8, 9, and Hebr. xiii. 4). In suffragis Sanctorum non confidunt : jejunia, caeterasque afflictiones, quae fiunt pro peccatis, adstruunt justis non esse necessaria, nec etiam peccatoribus, quia *in quaunque die ingemuerit peccator, omnia peccata remittuntur ei*: caeterasque observantias in Ecclesia, quas Christus et Apostoli ab ipso discedentes non considerunt, vocant superstitiones. Purgatorium ignem post mortem non concedunt ; sed animas statim, quando egrediuntur de corpore, in aeternam vel requiem vel poenam transire, propter illa Salomonis (Eccl. xi. 3) : *lignum in quamcunque partem ceciderit,—ibi manebit*; et sic fidelium orationes vel oblationes pro defunctis adnihilant.—No veritis etiam, Domine, quod redeunt ad Ecclesiam nobis dixerunt, illos habere maximam multitudinem fere ubique terrarum sparsam, et habere eos plures ex nostris clericis et monachis. Illi vero, qui combusti sunt (The Cathari), dixerunt nobis in defensione sua, hanc haeresim usque ad haec tempora occultatam fuisse a temporibus Martyrum, et permansisse in Graecia et quibusdam aliis terris. Et hi sunt illi haeretici, qui se dicunt Apostolos, et suum Papam habent. Alii (the other party) Papam nostrum adnihilant, nec tamen alium praeter eum habere fatentur. Isti apostolici Satanae habent inter se foeminas, ut dicunt, continentes,—quasi ad formam Apostolorum, quibus concessa fuit potestas circumducendi mulieres.—Evervin desires Bernard, in his sermons on Solomon's Song at the passage Cant. 2, 15 : *capite nobis vulpes parvulas, quae demolintur vineas*, to take notice of these heretics; this he did in serm. 65 and 66 on the Canticles.

¹² Godefridus Mon. ad ann. 1163 : Hoe etiam anno quidam haeretici, de secta eorum, qui Cathari nuncupantur, de Flandriae partibus Coloniam advenientes, prope civitatem, in quodam horreo occulite mansitare coeperunt, etc. On the discovery of the relics of the 11,000 virgins at this time, and the revelations of St. Elizabeth, which this very Egbert has recorded, see above, § 78, note 1. The memorials of his controversy at Cologne are Elberti sermones xiii. adversus Catharorum errores (ed. Colon. 1530. 8. and Bibl. PP. Lugd. xxiii. 600). In the memorial ad Reginoldum Archiep. Colon. : In vestra dioecesi frequenter contingit deprehendi quosdam haereticos.—Muniti sunt verbis sacrae Scripturae, quae aliquo modo sectis eorum concordare videntur, et ex eis sciunt defendere errores suos, et oblatrare catholicae veritati.—Cum essem Canonicus in Ecclesia Bunnensi, saepe ego et unanimis meus Bertolpus cum talibus altercati sumus, et diligenter attendi errores eorum ac defensiones. Multa quoque de illis innotuerunt per eos, qui exierant de conventiculis eorum, et resipuerant a laqueis diaboli.—Sermo i. : Ecce enim quidam latibulosi homines perversi et perversores, qui per multa tempora latuerunt,—per omnes terras multiplicati sunt.—Hos nostra Germania Catharos, Flandria Piphles, Gallia Texerant, ab usu texendi, appellat. The representation of their doctrines which follows next, entirely agrees with Evervin's, and completes it here and there : e. g. se solos in mensis suis corpus Domini facere dicunt. Sed in verbis illis dolum habent: non enim *vérum* illud corpus Christi significant,—sed sui ipsius carnem corpus Domini vocant, et in eo, quod sua corpora nutrunt cibis mensae suae, corpus domini se facere dicunt. Audivi a quoddam fideli, qui—de societate eorum exivit,—in domino Salvatore ita errare eos,—ut dicent, cum non vere natum ex virgine, nec vere humanam carnem eum habuisse, sed simulatam carnis speciem: nec ex mortuis eum resurrexisse, sed mortem et resurrectionem simulasse. Accordingly, they did not keep Easter; but, instead of this, aliud quoddam festum, in quo occisus est haeresiarcha eorum Manichaeus,—quod b. Augustinus—*Bema* appellari dixit. Meus autem recitator ab eis, quibus ipse fuerat commoratus, *Malilosa* dixit vocari, et autumnali tempore celebrari (Bema was celebrated in March, Augustin. contra Faust. xviii. c. 5). Those that were burned at Cologne declared still further, animas hu-

But the head-quarters of the Cathari were those countries in which at that time, along with civic freedom, civilization, and education, discontent at the wanton and avaricious clergy had grown up in a remarkable manner; such were southern France and northern Italy. In southern France,¹⁴ where Toulouse was their central point,¹⁵ the agitations awakened by Peter of Bruis and

manas non aliud esse, nisi illos apostatas spiritus, qui in principio mundi de regno caelorum ejectedi sunt, et eos in humanis corporibus posse per bona opera promereri salutem, sed hoc non nisi inter eos, qui ad eorum pertinent sectam. After Sermon i. follows an Appendix de origine sectae Catharorum, which begins with the assertion: Sciendum vero est, et non celandum ab auribus vulgi, quoniam indubitanter secta eorum, de quibus agimus, originem accepit a Manichaeo haeresiarcha.—Multa tamen permixta habent doctrinae magistri sui, quae inter haereses illius non inveniuntur. Divisi sunt etiam contra se-metipsos, quia nonnulla, quae ab aliquibus eorum dicuntur, ab aliis negantur. Nevertheless, Egbert endeavored with the help of St. Augustin, viz. the lib. de haeres. c. 46, to search into the doctrinal system of the Cathari; by this means, however, he must have uncritically transferred to the modern Cathari much that was peculiar to the ancient Manichaeans. For instance, I believe, that as to the passage, Ex numero discipulorum suorum duodecim elegit, quos quasi Apostolos suos habebat :—quem numerum imitatores ejus et hodierna die observant, quia ex electis suis habent xii, quos appellant magistros, et tertium decimum principem ipsorum : Episcopos autem lxxii, qui ordinantur a magistris, etc., which is quoted almost word for word from Augustin. de haer. c. 46, there existed only an analogous relation among the Cathari, which Evervinus thus records, above, note 11: se dicunt Apostolos (viz., the teachers of the sect) et suum Papam habent. Sermo v.: on the reason for the prohibition of marriage among the Cathari: Innotuit mihi per quosdam viros, qui exierunt de societate vestra.—Dicitis enim, quod fructus ille, de quo praecepit Deus primo homini in paradyso, ne gustaret ex eo, nihil aliud fuit nisi mulier, quam creaverat. De ipsa dicitis, Adae praecepit Dominus, ut non commiseretur ei, et commixtus est ei contra praeceptum Domini, quod erat gustare de vetito ligno. Ex hoc ergo probatis, omne genus humanum, quod de eis propagatum est, natum esse ex fornicatione, et neminem salvari posse, nisi purgatus fuerit per orationes et sanctificationes eorum, qui inter vos perfecti vocantur.—Mussitant quidam vestrum, videlicet sequaces *Hartwini*, quod illud conjugium solum justum est, in quo virgines conjunguntur, et quod unam tantum prolem gignere debent, et postea statim abinvicem discedere. Sermo viii.: nuper (igne) baptizavit Colonia Archicatharum vestrum Arnoldum, et complices ejus, et similiter Bunna Theodericum et socios ejus.

¹³ Willelmus Neubrigensis (about 1197) de reb. Angl. lib. ii. c. 13.: Iisdem diebus erronei quidam venerunt in Angliam ex eorum, ut creditur, genere, quos vulgo Publicanos vocant. Hi nimirum ex Gasconia incerto auctore habentes originem, regionibus plurimi virus suae perfidiae infuderunt. Quippe in latissimis Galliae, Hispaniae, Italiae, Germaniaeque provinciis tam multi hac peste infecti esse dieuntur, ut secundum Prophetam multiplicati esse super numerum arenac videantur.—But when they came to England, pesti, quae jam irrepserat, ita est obviatum, ut de cactero hanc insulam ingredi vererentur. There were more than thirty men and women, duce quodam Gerardo, all of them, nationis et linguae Teutonicae. A Council at Oxford had them branded and banished from the kingdom. J. C. Fuesslini diss. de fanaticis saec. xii. in Anglia repertis, Bernae, 1761. 8.

¹⁴ Dr. C. Schmidt die Katharer in Südfrankreich in der ersten Hälften des 13. Jahrh. in den Strassburger Beiträgen zu d. theolog. Wissenschaften. Heft i. (Jena, 1847), s. 85. On the political state of southern France about this time, see Schlosser's Weltgeschichte, III. i. 557.

¹⁵ Schmidt, s. 98.

Henry worked for their advantage. The Synodal decrees issued against them¹⁶ remained without effect, for almost all the barons of this country protected them,¹⁷ and so their numbers here received a very considerable increase.¹⁸ The bishops of the district

¹⁶ Conc. Tolosan. ann. 1119, c. 3: *Porro eos, qui religionis speciem simulantes, dominici corporis et sanguinis sacramentum, puerorum baptisma, sacerdotium, et caeteros ecclesiasticos Ordines, et legitimarum damnant foedera nuptiarum, tanquam haereticos ab Ecclesia Dei pellimus et damnamus: et per potestates exteras coereeri praecepimus.* Defensores quoque ipsorum ejusdem damnationis vinculo donec resipuerint mancipamus. The same was repeated Conc. Lateran. II gen. ann. 1139, c. 23. Conc. Remense ann. 1148, c. 18: *praecepimus, ut nullus omnino hominum haeresiarchas et eorum sequaces, qui in partibus Guasconiae, aut Provinciae, vel alibi commorantur, manuteneat vel defendat, nec aliquis eis in terra sua receptaculum praebeat.* Whosoever disobeyed, anathemate feriatur, et in terris eorum, donec condigne satifaciant, divina celebrari officia interdicimus. Conc. Turonense ann. 1163, c. 4: *In partibus Tolosae damnanda haeresis dudum emersit, quae paulatim more caneri ad vicina loca se diffundens, per Guasconiam et alias provincias quamplurimos jam infecit.* Hence the requisition to the bishops and priests of those countries to be watchful, et sub interminatione anathematis prohibere, ut ubi cogniti fuerint illius haeresis sectatores, ne receptaculum quisquam eis in terra sua praebere, aut praesidium impertire praesumat. Sed nec in venditione aut emptione aliqua cum eis omnino commercium habeatur.—Illi vero si deprehensi fuerint, per catholicos Principes custodiæ mancipati omnium bonorum amissione mulcentur. Et quoniam de diversis partibus in unum latibulum crebro conveniunt,—conventicula et investigentur attentius, et si inventa fuerint, canonica severitate vetentur.

¹⁷ Schmidt in the Strassburger Beiträge, i. 93. But William VIII., count of Montpellier, was a zealous Catholic, and his land free from heretics, s. 94.

¹⁸ On this point and on the following, see the *Histoire générale de Languedoc par un Religieux Bénédictin de la Congr. de s. Maur* (Claude le Vic and Joseph Vaissette), Tom. IIIème, Paris, 1737 fol. The great increase of the Cathari in this region is especially illustrated by the acts of a council held here by them in the year 1167 at S. Felix de Caraman, five leagues from Toulouse (published in *Guil. Besse histoire des Ducs, Marquis et Comtes de Narbonne*. Paris, 1660. 4. p. 483, and in the *Rerum Gallicarum et Francicarum script.* by Bouquet, continued by Brial, xiv. 448): *Anno MCLXVII. incarnationis dominice, in mense Maji, Ecclesia Tolosana adduxit Papam Niquinta in Castro s. Felicis, et magna multitudine hominum et mulierum Eccl. Tolosanae, aliarunque Ecclesiarum vicinarum congregaverunt se ibi, ut acciperent consolamentum, quod dominus Papa Niquinta coepit consolare.* Postea vero Robertus de Spernone Ep. Eccl. Francigenarum venit cum consilio suo; Marchus Lombardiae venit cum consilio suo similiter, et Sicardus Cellarerius Eccl. Albiensis Ep. (Guillelm. de Podio Laur. c. 4: *Sicardus dictus Cellariatus, apud Lomberium publice residens*) venit cum consilio suo, et Bernardus Catalani (Petrus Vall. Sarn. c. 6: *Bernardus de Cimorra, qui in Carcassoniensi dioecesi praeceps habebatur*) venit cum consilio suo Eccl. Carcassensis, et consilium Eccl. Aranensis (*le Val d'Aran*) fuit ibi. Omnes igitur sic innumerabiliter congregati voluerunt habere Episcopum, et elegerunt Bernardum Raimundum homines Tolos. Eccl. qui voluerunt habere Episcopum. Similiter Bernardus Catalani et consilium Eccl. Carcassensis, rogatus ac mandatus ab Eccl. Tolosana et cum consilio et voluntate et solutione domini S. Cellarerii elegerunt Guiraldum Mercerium; et homines Aranenses elegerunt Raimundum de Casalis. Postea Robertus de Spernone accepit consolamentum et ordinem Episcopi a domino Papa Niquinta, ut esset Ep. Eccl. Francigenarum: similiter et S. Cellarerius accepit consolamentum et ordinem Episcopi, ut esset Ep. Eccl. Albiensis: similiter vero Marchus—ut esset Ep. Eccl. Lombardiae: similiter vero Bernardus Raimundus—ut esset Ep. Eccl. Tolosanae (Bernardus Raimundi in 1181 was confined in the Castle Lavaur, converted, and became a canon of Toulouse, Guillelm. de Podio, c. 2): similiter Guiraldus Mercerius—ut esset Ep. Eccl.

vainly endeavored in the council at Lombers (1165)¹⁹ to bring back these *bonos homines*, as they were here usually called, to the Church; little more effect was produced by the cardinal legate, Peter of St. Chrysogonus, in Toulouse (1178),²⁰ and the severe

Carcassensis : et Raimundus de Casalis—ut esset Ep. Aranensis. Post haec vero Papa Niquinta dixit Eccl. Tolosanae : *vos dixistis mihi, ut ego dicam vobis consuetudines primitivarum Ecclesiarum, sint leves an graves. Et ego dicam vobis : septem Eccl. Asiae fuerunt divisae et terminatae inter illas, et nulla illarum faciebat ad aliam aliquam rem ad suam contradictionem.* Et Eccl. Romanae (probably *Romulae* in Dalmatia, now Carlstadt in Croatia), et *Drogometiae* (*Tragurium*, see below), et *Melenguiac* (*Melenicum*, now Melenik in Macedonia), et *Bulgariae*, et *Dalmatiae* sunt divisae et terminatae, et una ad alteram non facit aliquam rem ad suam contradictionem, et ita pacem habent inter se. . Similiter vos facite. Now were divisors elected, and by them the boundaries of the Eccl. Tolosanae and Eccl. Carcassensis determined. Probably the Papa Niquinta is the same person with the Papa Niceta, mentioned by an Antiquus auctor in Nic. Vignier recueil de l'histoire de l'église (Lyons, 1601. fol.) ad ann. 1023, and in Sandii nucleus hist. eccl. p. 404, in whose writings also the Bishop Marcus again makes his appearance : *Primin temporibus, quibus haeresis Catharorum in Lombardia multiplicari coepit, primum habuerunt Episcopum quendam Marcum nomine, sub ejus regimine omnes Lombardi et Tusci et Marchiani regebantur. Iste Marcus ordinem suum habebat de Bulgaria. Veniens autem quidam Papa Nicetas nomine a Constantinopoli in Lombardiam, coepit accusare ordinem Bulgariae, quem Marcus habebat. Unde Marcus Episcopus haesitare incipiens relieto ordine Bulgariae suscepit ab illo Papa Niceta ordinem Druguriacum suis complicibus, et tenuit per multos annos.* Thus here are significant traces of internal divisions among the Cathari. Druguria may well be *Tragurium*, now *Trau* or *Tragur*, situated upon an island off the coast of Dalmatia : in Rainerii Summa : Eccl. Dugunithiae (al. Dugunithiae, al. Dugraniae). In the same manner the Uroger are called also *Wurugunder*, the Onoguren also *Onogunduren*, see Thunmann's Untersuchungen über die Gesch. d. ostl. Europ. Volker, s. 32). Drugunitia then seems to have been perverted by transcribers into *Drogometia*. On the Popes of the Cathari, see below, § 90, note 26.

¹⁹ Rogerus de Hoveden annall. rer. Anglic. ad ann. 1176 (in Savilii scriptt. rer. Angl. Francof. 1601, p. 555), gives an extract from the acts of this council : for this reason it is referred by mistake in the Acts of Councils to the year 1176, and Schrockh even makes two councils out of this single one, one in 1165 (xxix. 510), and another in 1176 (s. 508). The entire acts published in Mansi xxii. 157, begin thus : *Anno ab Incarn. Domini MCLXV. talis disputationis sententia lata est super altercatione et asserctione atque impugnatione fidei catholicae, quam expugnare nitabantur quidam, qui faciebant se appellari Boni homines, quos manutenebant homines de Lumbers.* Et haec sententia lata est per manum Giraldi Albiensis Episcopi, electis ac statutis judicibus ab utraque parte, et cognoscentibus atque adsidentibus praefato Episcopo, then other bishops and ecclesiastics, and some barons are mentioned, in praesentia fore totius populi Albiensis et de Lumbers, aliorumque populum castrorum. To the first question about their Canon of Scripture, they answered unabashed that they rejected the Old Testament, and received only the New. To the question de fide sua, they answered, *quod non dicarent, nisi cogerentur*: to the third, de baptimate parvulorum ; *quod nihil dicarent, sed de Evangelio et Epistolis responderent*. Thus they wished to have no examination, but a disputation, first upon the first head. Hence their declaration which followed : *nihil aliud responderent ; quia non debebant cogi respondere de fide sua.* The Assembly did, indeed, pronounce condemnations enough upon them, but how little effect they had is plain from Gervasi Cantuariensis (about 1200) chron. ad ann. 1177 (scriptores X Anglici. Lond. 1652. fol. p. 1441 ss.).

²⁰ Raymund V., count of Toulouse, betook himself in 1177 to the Cistercian chapter (the epistle is in Gervasius Cantuar. l. c.) to obtain here assistance against his heretics. On the mission of Cardinal Peter, which was brought about by the Kings of France and En-

decree of Alexander III. in the third Lateran Council (1179).²¹ Against Roger II., viscount of Beziers, Carcassone, Albi, and Ra-

gland, see Hist. de Languedoc, iii. 48. The principal source is Roger de Hoveden ad ann. 1178, p. 573, and particularly the epistle there quoted, p. 577, of Henricus Abb. Claraevall, who accompanied the cardinal. Henry here paints a terrible picture of the ascendancy of heretics in Toulouse; ibi haeretici principabantur in populo, dominabantur in clero, eo ut populus sic sacerdos, et in interitum gregis ipsa configurabatur vita pastoris. Loquebantur haeretici, et omnes admirabantur; loquebatur Catholicus, et dicebant: *quis est hic?* in stuporem et miraculum deducentes, si esset aliquis inter eos, qui de verbo fidei auderet aliquid vel mutire. In tantum preevalueraut pestis in terra, quod illi sibi non solum sacerdotes et pontifices fecerant, sed etiam Evangelistas habebant, qui corrupta et cancellata evangelica veritate nova illis Evangelia euderent, etc.—In ipso quoque introitu nostro tanta erat haereticis ubique licentia, ut nos quoque per vicos et plateas recto itinere procedentes subsannarent verbo, digito demonstrarent, nos apostatas, nos hypocritas, nos haereticos conclamantes. However, they were intimidated by the powerful protection held out by the embassage, and were forced to appear to submit. On the other hand, Henry, who was sent to Roger II., viscount of Beziers, ut et Albiensem Episcopum, quem sub custodia haereticorum in vinculis tenebat, absolveret, et universam terram suam,—eliminatis haereticis emendaret, had no success with him (although Roger was a good Catholic, see hist. de Languedoc. iii. 49). Praedictus Rogerus in ultimos et inaccessibilis terae suae fines abscessit; and Henry says: judicavimus praedictum Rogerum proditorem, haereticum, et de violata Episcopi securitate perjurum, eum tamquam publica excommunicatione damnatum, ex parte Papae et praedictorum Regum, in praesentia conjugis, militumque suorum in nomine Christi confidenter diffidantes (*défiant*). The epistle ends thus: Ecce a modo statis appareat, quam grande et evidens ostium patet Principibus christianis, ut Christi ulciscantur injurias.—Ne autem vel parum vel nihil fieri contra illos posse caussentur, sciant omnes, generalem fuisse in urbe Tolosana sententiam, quod si illa visitatio fuisse adhuc triennio retardata, vix inveniretur in ea, qui nomen Christi amplius invocaret. Super haec autem omnia praedictus Comes s. Aegidii coram populo civitatis practito juramento firmavit, quod a modo nec prece nec pretio favebit haereticis. However, Robertus de Monte chron. ad ann. 1178 (in Pertz, viii. 526): Haeretici, quos *Agenenses* (see above, note 8) vocant, et alii multi convenerunt circa Tolosam,—ad quorum confutationem Petrus, Legatus Rom., etc. convenerunt, et parum profferunt.

²¹ Conc. Lateran. III. gen. c. 27: Quia in Gasconia, Albegesio, et partibus Tolosanis, et aliis locis ita haereticorum, quos alii Catharos, alii Patarenos, alii Publicanos, alii aliis nominibus vocant, invalidit damnata perversitas, ut jam non in occulto, sicut aliqui, nequitiam suam exerceant, sed suum errorem publice manifestent, et ad suum consensum simplices attrahant et infirmos: eos, et defensores eorum, et receptores anathemati decernimus subjacere: et sub anathemate prohibemus, ne quis eos in domibus, vel in terra sua tenere, vel fovere, vel negotiationem cum eis exercere praesumat.—Cunctis fidelibus in remissionem peccatorum injungimus, ut tantis cladibus se viriliter opponant, et contra eos armis populm christianum tueantur. Confisceturque eorum bona, et liberum sit Principibus hujusmodi homines subjacere servituti. Qui autem in vera poenitentia ibi decesserint, et peccatorum indulgentiam, et fructum mercedis aeternae se non dubitent percepuros. Nos etiam—fidelibus Christianis, qui contra eos arma suscepint, biennium de poenitentia injuncta relaxamus: aut si longiorem ibi moram habuerint, Episcoporum discretioni, quibus hujus rei cura fuerit injuncta, committimus; ut ad eorum arbitrium, secundum modum laboris, major eis indulgentia tribuatur. Illos autem, qui admonitioni Episcoporum in hujuscemodi parte parere contempserint, a perceptione corporis et sanguinis Domini jubemus fieri alienos, etc. This decree was repeated by the Archbishop of Narbonne in 1179, with a requisition to his suffragans to pronounce the ban every Sunday against the heretics and their protectors (see Hist. de Langued. T. iii. Preuves, p. 148), to wit, against R. comitem nobilem virum, et R. vicecomitem Biterensem, et B. vicecomitem Nemausensem, et Lupatum, et R. de Terrazona.

sez, who protected the Cathari, the cardinal legate, Henry, abbot of Clairveaux, already headed a crusading army (in 1181),²² but he could produce no lasting effect.²³ In the beginning of the 13th century the greater part of the daughters of the nobility were brought up in the educational establishments of the Perfectae, who lived together in monastic style.²⁴ The records of the controversy of this time, issuing from France, are Ebrardi Flandrensis, *Betunia oriundi, liber antihaeresis*:²⁵ Ermengardi

²² Hist. de Langued. iii. 57.

²³ No further effect was produced by the promise which Bertrand de Saissac, as guardian of the young Viscount Raymund Roger, made to the Bishop of Beziers in Aug. 1194, after the death of Roger in that year (Hist. de Lang. T. iii. Preuves, p. 177) :—nec haereticos, vel Waldenses in praedicta villa (Biterris) vel Episcopatu—inducemus. Et si forte ibi fuerint, pro posse nostro illos inde ejiciemus, et tibi Episcopo jus et liberam potestatem—eos expellendi concedo: nor by the renewal of the canon of the Lateran Council at the Conc. Monspelliense ann. 1195.

²⁴ Schmidt in d. Strassburger Beiträgen, i. 97.

²⁵ Prin. ed. Jac. Gretser (*Trias scriptorum adv. Waldensium sectam*, Ingolst. 1614. 4.) with the wrong title *contra Waldenses* (in Bibl. max. Lugd. xxiv. 1525). Among other things, cap. i. : Dicunt, lex non est ex fide, ut dicit Abaeus et Paulus similiter (Gal. iii. 11, 12; Hab. ii. 4).—Quod autem ex fide non est, peccatum est (Rom. xiv. 23); ergo lex peccatum est. Cap. iii. : Deum patrum nostrorum, qui legem dedit Moysi, qui locutus est cum prophetis, qui firmavit orbem terrae, Deum verum esse negant. Eum etenim joculatorum esse (as in Exod. iii. 14). Afterward comes a comparison between the God of the Old and the God of the New Testament, like the Marcionite antitheses. Cap. iv. : Ecclesias destruunt, nec jam Ecclesias vocant, sed speluncas,—et verbis dishonestis, et etiam execrandis Ecclesiarum pastores, et eorum vestimenta, altaria et vasa contaminant sacrosancta.—Dicunt autem, quod bonus homo, aut bona foemina, aut congregatio utriusque, Ecclesia est, et ideo domum manufactam negant esse Ecclesiam.—Praelatis nostrae Ecclesiae obediunt (nolunt):—dicunt enim, quod fornicatores sunt, adulteri, mendaces, raptiores et cupidi. Cap. v. : Duos esse Deos dicunt, unum salvatorem et benignum, in quem se credere confitentur: alterum creatorem rerum et hominum plasmatorem, sed malignum, in quem se credere non fatentur. Cap. vi. is a rejection of infant baptism; Cap. vii. of marriage; Cap. viii. of the ecclesiastical Eucharist: Cap. ix., they inferred from 1 Cor. 15, 35 ss., quod in alio corpore resurgemus, et Deus det nobis corpus novum. Cap. x. : Oblationum quoque munera retundentes, decimas et primitias apud se retinent et furantur. Cap. xi. : Inunctionem etiam olei subsannantes, nec chrisma, nec oleum sibi poscunt,—nec etiam coemeterii sepulturam. Cap. xii. : Peregrinationis destruentes viaticum, loca sancta et Sanctorum miracula prohibent visitari. Cap. xiii. : Diffidentes etiam de Domini praecursore, vitam ejus repudiant et baptismum. Cap. xiv. contains a rejection of oaths, Cap. xv. of capital punishment. Cap. xvi. : In operibus solummodo confidentes, fidem praetermittunt (where Ebrardus, by bringing forward the statement: Non omnis homo ex operibus salvatur, sed gratia et fide, puts Gretser to much trouble). Cap. xvii. : Crucem sanctam et etiam sanctissimam dehonoran. Cap. xviii. : Foemineo sexui caelorum beatitudinem nituntur surripere, because it is written: Venite *benedicti* Patris mei, not *benedictae*. They inferred from Eph. iv. 13, quod in specie viri perfecti, et in aetate xxx annorum ad judicium veniamus, et mulieres suum permutent sexum. Cap. xix. : Dicunt, unam tantum salutis esse viam, ad quam ipsi prae caeteris devenerunt. Cap. xx. is on abstinence from flesh meat. Cap. xxi. : Male quidem et perverse operantes in quibusdam latebris se abscondunt: quaedem quoque facientes abusiva, ab aliis, et eorum novitiis se videri non permittunt. Cap. xxii. : Omiserunt ludicra, sed non lucra; adjecerunt otia, sed

opuse. contra haereticos, qui dicunt et credunt, mundum istum et omnia visibilia non esse a Deo facta, sed a diabolo;²⁶ and Alani Summa quadripartita contra Haereticos, Waldenses, Judaeos et Paganos;²⁷ all written about the same time, as it seems, toward

non negotia. Ita enim mundanis abrenunciant, ut avaritiae obligentur vinculo fortiori. Si pauper enim fueris et mendicus, moram cum illis facias, statim exies opulentus: quippe a diluculo ad crepusculum in mundanis operosi mercaturis, manus non permittunt otari.

²⁶ Likewise first published by Gretser I. c. with the wrong title, contra Waldenses (in Bibl. PP. Lugd. xxiv. 1602, it is placed also erroneously as Abaelardi lib. adv. haereses in his Opp. p. 452. See Franck in the theol. Studien u. Krit. 1841. iv. 973. A certain agreement which has been observed in the work before us with the Confessio Durandi de Osca in Innocentii III. lib. xi. ep. 196, is, however, by no means, as Franck judges, of such a nature that we must attribute it to the same author, and consider the companion of Durandus, distinguished in the confession by the letter E, to be this Ermengard). The description here given of baptism with the Spirit is most worthy of notice; this was administered instead of baptism with water, for actual admission into the sect, i. e. among the elect, and it was called by the Cathari Consolamentum, because thereby the Παράκλητος, the consolator, was thought to be communicated. Cap. xiv.: Quando volunt facere consolamentum alicui viro vel mulieri, ille, qui Major et Ordinatus dicitur, ablutis manibus, librum Evangeliorum in manibus suis tenens, eum veleos, qui ad recipiendum consolamentum convenient, admonet, ut in eo consolamento omnem suam fidem, et spem salutis animarum suarum in Deo et in illo consolamento ponant. Et sic super capita eorum libro posito, orationem dominicam septies dicunt, et deinde b. Joannis Evangelium ab *In principio* incipiens usque ad hunc locum Evangelii, quod dicit: *Gratia et veritas per Jesus Christum facta est*, audientibus dicit. Et sic finitur illud consolamentum. A quibus personis fit, dicamus. Scil. ab illis, qui inter eos *Ordinati* dicuntur. Si ipsi defuerunt, ab illis, qui *Consolati* dicuntur, suppletur, et si viri non adsint, mulieres tantum infirmis faciunt.—Omnium remissionem suorum peccatorum et emundationem suorum delictorum, absque satisfactione aliqua, in eo se consequi credunt, si statim morte deficiunt.—Dicunt enim, quod nemo,—nisi illud consolamentum ab ipsis consolatis receperit, caelestis regnum—aliquo opere,—nec etiam martyrio, etsi ab omnibus, quod est impossibile, peccatis et delictis se abstineat, consequi potest. Credunt etiam hoc, quod si ille, qui facit illud consolamentum, in aliquod peccatorum, quae ipsi criminalia vocant, lapsus fuerit: sicut est comedere carnem, aut ovum, vel caseum; vel interficere avem, vel aliquod animal, praeter reptilia; vel etiam illa peccata, quae Ecclesia Romana criminalia nominat;—consolamentum illius recipientibus nihil prodest.—Imo eundem credunt iterum oportere illud consolamentum recipere ab alio, si salvare desiderat.

²⁷ The first two books were published by Masson, Paris, 1612. 8. but far more accurately in Alani de Insulis Opp. ed. Car. de Visch, Antwerp. 1654. fol. p. 199 ss., the last two in C. de Visch biblioth. scriptor. Cisterc. Colon. 1656. 4. p. 411. Down to this time this Alanus de Insulis has been held to be the author, who was born at Lille, in Flanders, became a Cistercian monk, and afterward Bishop of Auxerre, resigned his bishopric in 1167, and died at Clairvaux in 1202, see Hist. de Languedoc, iii. 119. D'Argentré, i. 83 (Cave hist. lit. ii. 229, 287, erroneously assumes that there were two Alanus of Lille). From the fact that the author dedicates his work to the Count of Montpellier, and is well acquainted with the peculiar circumstances of southern France, Ravaission, in his Rapport sur les bibliothèques de l'Ouest de la France, Paris. 1841, p. 157, believes that the work is to be attributed to a Magister Alanus de Podio, from whose hand he has found a theological tract in the library of Avranches; and Schmidt, in the Strassburger Beitrage, I, 100, agrees with him. However, Clairvaux, where Alanus of Lille lived, was closely connected with southern France, and its monks were often actively engaged in opposition to the heretics of that country.

the end of the 12th century.²⁸ The Catharic translation of the

²⁸ With regard to the doctrine of the Cathari in Albigeois, the two contemporaries and historians of the Albigensian crusade should be particularly consulted. These are the monk Petrus Mon. cocnobii Vallum Sarnaji or Vallissarnensis (the Cistercian abbey of Vaux Sernai in the diocese of Paris), in his *Historia Albigensium* (down to 1218), and the chaplain of Raymund VII., count of Toulouse, Guilelmus de Podio Laurentii (de Puy-Laurent), *Super historia negotii Francorum adv. Albigenses* (down to 1272), (both of them are best edited in *Rerum Gall. et Franc. scriptores* by Bouquet, continued by Brial, xix. 1 and 193). Especially so the short description by Petrus Mon. cap. 2: *Haeretici duos constituebant creatores, invisibilium scil. quem vocabant benignum Deum, et visibilium, quem malignum Deum nuncupabant. Novum testamentum benigno Deo, vetus vero maligno attribuebant, et illud omnino repudiabant praeter quasdam auctoritates, quae de veteri Testamento novo sunt insertae, quas ob novi reverentiam Testamenti recipere dignum aestimabant. Auctorem veteris Testamenti mendacem asserebant, quia protoplastis dixit: quacumque die comederitis de ligno scientiae boni et mali, morte moriemini, nec (sicut dicebant) post comeditionem mortui sunt.*—*Homicidam quoque ipsum nominabant, tum quia Sodomitas et Gomorrhæos incineravit, et aquis diluvii mundum delevit, tum quia Pharaonem et Aegyptios mari obruit. Omnes veteris Testimenti Patres damnatos affirmabant. Johannem Baptistam unum esse de majoribus Daemonibus asserebant. Dicebant etiam in secreto suo, quod Christus ille, qui natus est in Bethleem terrestri et visibili, et in Hierusalem crucifixus, malus fuit, et quod Maria Magdalena fuit ejus concubina, et ipsa fuit mulier in adulterio deprehensa, de qua legitur in Evangelio. Bonus enim Christus, sicut dicebant, nunquam comedit vel bibit, nec veram carnem assumpsit; nec unquam fuit in hoc mundo, nisi spiritualiter in corpore Pauli. Ideo autem diximus in Bethleem terrestri et visibili, quia haeretici fingebant esse aliam terram novam et invisibilem, et in illa terra, secundum quosdam, bonus Christus fuit natus, et crucifixus. Item dicebant haeretici, bonus Deum (without doubt: *malum Deum*) habuisse duas uxores, Collam et Colibam, et ex ipsa filios et filias procreasse (Colla and Coliba are only clerical errors for Oolla and Ooliba, according to Ezek. xxiii. 1 ss.). *Et factus est sermo Domini ad me: — Oolla major, et Ooliba soror ejus minor, et habui eas, et pepererunt filios et filias. Porro eorum nomina, Samaria Oolla, et Jerusalem Ooliba, comp. Schmidt in the Strassb. Beitr. i. 87).* Erant alii haeretici, qui dicebant, quod unus est creator, sed habuit filios Christum et Diabolum. Dicebant et isti, omnes creatureas bonas fuisse, sed per filias, de quibus legitur in Apocalypsi, omnia fuisse corrupta. Hi omnes, membra Antichristi,—provinciam Narbonensem veneno suaे perfidiae infecerant fere totam Romanam Ecclesiam speluncam latronum esse dicebant, et quia ipsa erat meretrix illa, de qua legitur in Apocalypsi. They had rejected Baptism, the Lord's Supper, Confirmation, Confession, Marriage, the Resurrection from the Dead, dicentes, animas nostras esse spiritus illos angelicos, qui per superbiam apostasiam præcipitati de caelo, corpora sua glorificata in aere reliquerunt; et ipsas animas post successivam qualiumcunque septem corporum terrenorum inhabitacionem, quasi tunc demum poenitentia peracta, ad illa relicta corpora remeare. Sciendum autem, quod quidam inter haereticos dicebantur Perfecti, sive Boni Homines, alii Credentes. Haereticorum, qui dicebantur Perfecti, nigrum habitum præferabant, castitatem se tenere mentiebantur: esum carnium, ovorum, casei omnino detestabantur: non mentientes videri volebant, cum ipsis maxime de Deo quasi continue mentirentur. Dicebant etiam, quod nulla unquam ratione debeant jurare. Credentes autem haereticorum dicebantur illi, qui saeculariter viventes,—in fide tamen illorum se salvare sperabant:—dediti erant usuris, rapinis, homicidiis et carnis illecebris, perjuriis et persistatibus universis. Isti siquidem ideo securius et effrenatius peccabant, quia credebant, sine restituzione ablatorum, sine confessione et poenitentia se esse salvandos, dummodo in supremo mortis articulo *Pater noster* dicere et manuum impositionem recipere a magistris suis potuissent. De perfectis vero haereticis magistratus habebant, quos vocabant Diaconos et Episcopos, sine quorum manuum impositione nullus inter Credentes moriturus se salvare posse credebat. Then he treats of the *Consolamentum*. Lastly:*

New Testament is extant in a Romaic dialect, but not yet printed.²⁹

The Cathari also were widely spread in northern Italy, and made their appearance under Innocent III. even in the States of the Church.³⁰ Their head-quarters were at Milan, where they were encountered as early as in 1173 by the Archbishop Galdinus.³¹ Here wrote Bonacursus, formerly himself a teacher among the Cathari, but afterward a convert to the Catholic Church, about 1190, his *Vita haereticorum, seu manifestatio haeresis Catharorum*,³² in which he also gives an account of a Judaizing sect, the Pasagini.³³

Quidam haeretici dicebant, quod nullus poterat peccare ab umbilico et inferius. Imagines, quae sunt in Ecclesiis, dicebant idolatriam, campanas earum tubas Daemonum affirmabant. Item dicebant, quod non peccabat quis gravius, dormiendo cum matre vel soro sua, quam cum qualibet alia.

²⁹ Fleck (wissenschaftl. Reise durch das südl. Deutschland, Italien, Sicilien und Frankreich, II. i. 90) discovered this translation in the Library of the Academy of Arts at Lyons. Next after the Acts of the Apostles follows the Apocalypse, then the Catholic epistles, and lastly the epistles of St. Paul (after the Epistle to the Colossians comes the apocryphal Epistle to the Laodiceans : the Epistle to the Hebrews forms the conclusion). Then follow prayers : the Paternoster and the beginning of the Gospel of the evangelist John in the Latin language, other prayers in Romaic. This appendix, which is evidently the form used in the administration of the Consolamentum, admits of no doubt with regard to its Catharic origin. As far as can be judged from the written characters, the manuscript belongs to some time between the 12th and 13th centuries.

³⁰ In Orvieto (Urbs vetus) even the Papal lieutenant Petrus Parentius was slain by the heretics in 1199, see his life by a contemporary in the Act. SS. Mai. V. ii. 86 to 21. Mai. In 1207, Innocent betook himself in person to Viterbo, ad eliminandam Patarenorum spurcitudinem, qua Viterbiensis civitas erat vehementer infecta (*Gesta Innoc. III. c. 123*), and issued there the severe decree, lib. x. epist. 130. Comp. lib. ix. epist. 7, 18, 167, 204. Hurter's *Innocenz III. ii. 249*.

³¹ Vita s. Galdini in the Act. SS. Apr. ii. 593 to 18. April. Jac. de Vitriaco hist. Orient. et Occident. lib. ii. c. 28.

³² On Bonacursus cf. Labbei specimen antiquarum lectionum, p. 206. This work has made its appearance in d'Achery spicileg. T. i. p. 208 (some chapters there missing were published supplementarily by Mansi in his edition of Baluzii miscell. T. ii. p. 581) : Dominus noster Jesus Christus—errores illorum, qui Cathari vocantur, manifestare—volens, quemdam Episcopum doctorem, Bonacursum nomine, misericorditer gratia s. Spiritus illuminavit, et ad sinum s. matris Ecclesiae per gratiam renovavit.—*Quidam illorum dicunt, Deum creasse omnia elementa, alii dicunt, illa elementa diabolum creasse : sententia tamen omnium est, illa elementa diabolum divisisse.* Dicunt etiam, eundem diabolum Adam de limo terrae fecisse, et quemdam Angelum lucis in eo summa vi inclusisse, with reference to which they explain Luke 10, 30. Hevam dicunt fecisse, cum qua concubuit, et inde natus est Cain, de sanguine cuius dicunt natos esse canes, ideoque tam fideles sunt hominibus. Coniunctio Adae cum Heva, ut dicunt, fuit pomum vetitum.—Omnia, quae facta sunt in aere, in mari, et in terra, facta esse a diabolo.—Ex filiabus Hevae et demonibus dicunt natos esse Gigantes, qui cognoverunt per daemones patres suos, diabolum omnia creasse. Unde diabolus dolens, eos ista scire, dixit : *Poenitet me fecisse hominem* (Gen. vi. 6). Unde quia Noë hoc ignoravit, a diluvio liberatus est. The patriarchs of the Old Testament were the instruments of the devil. De dictis ss. Prophetarum

Shortly before the year 1200, the Patarenians passed from Dalmatia into Bosnia, and there became very numerous.

dicunt quaedam esse revelata a Spiritu Dei, quaedam a Spiritu maligno. Unde Apostolus : *Omnia probate, etc.* (1 Thess. v. 21). Besides their well-known tenets : Non credunt Filium aequalem Patri, quia dicit : *Pater major me est* (Joan. 14, 28). Crucem dicunt characterem esse bestiae, quae in Apocalypsi esse legitur. — B. Sylvestrum dicunt Antichristum fuisse, spoken of 2 Thess. 2, 4. A tempore illo dicunt Ecclesiam esse perditam. The Consolamentum is here described as impositio manuum, quam baptismum appellant, et renovationem s. Spiritus. Ipsum diabolum credunt esse solem, iunam dicunt esse Hevam, et per singulos menses dicunt eos fornicari, ut vir cum aliqua meretrice. Omnes stellas credunt esse daemones.

³³ Bonacursus, l. c. p. 211 : In primis dicunt, quod Mosaica lex sit ad literam observanda, et quod Sabbathum et Circumeisio et aliae legales observantiae adhuc habere statutum debeant. Dicunt etiam, quod Christus Dei Filius non sit aequalis Patri, et quod Pater et Filius et Spiritus sanctus, istae tres personae, non sint unus Deus et una substantia. Praeterea ad augmentum sui erroris, omnes Ecclesiae Doctores et universaliter totam Ecclesiam Romanam judicant et condemnant.—Hunc suum errorem novi Testamenti ac Prophetarum testimonio [asserere] nituntur. Cf. Specimen opusculi quod G. Bergomensis contra Catharos et Pasagios elucubravit circ. ann. 1230 (in Murat. antiquit. Ital. medii aevi v. 152) : Pasagini dicunt, Christum esse primam et puram creaturam, et vetus Testamentum esse observandum in solennibus et in circumcisione et in ciborum perceptione, et in aliis fere omnibus, exceptis sacrificiis. The origin of this sect Landulphus junior hist. Mediol. c. 41 (Muratori scriptt. rer. Ital. v. 513), derives from the excommunication, which the Archbishop of Milan in 1133 pronounced against the enemies of the Emperor Conrad and the Pope Anacletus : Ex cuius excommunicationis radice circumcisus Christum filium Virginis ignorant, et maxima pars Quiritum et Longobardorum auctorem divinae et humanae legis minime amat. Neander, V. ii. 796.

³⁴ Innocentii III. ep. ad Emericium Reg. Ungar. ann. 1200 (in Ge. Fejér codex diplom. Hungariae, ii. 378) : Accepimus, quod, cum nuper—Spalatensis Archiepiscopus Patarenos non paucos de Spalatensi et Traguriensi civitatibus effugasset, nobilis vir Culinus, Banus Bossinus (Ban of Bosnia), iniquitatibus eorum non solum tutum latibulum, sed et praesidium contulit manifestum,—ipsos pro catholicis, imo ultra catholicos honoravit; vocat eos antonomastice Christianos. — The king was called upon to oppose them, and they were forced in 1203 to submit themselves to the Roman Church, see the Professio fidei in Fejér, ii. 405, which was issued by the priores illorum hominum, qui hactenus singulariter christiani nominis praerogativa vocati sumus in territorio Bosnae, omnium vice constituti, pro omnibus, qui sunt de dicta nostra societate fraternitatis. It is remarkable that in the whole of this they renounce not one heretical error, but only promise obedience to the Roman Church (imprimis abrenunciamus schismati, quo ducimur infamati, et Romanam Ecclesiam matrem nostram et caput totius ecclesiasticae unitatis recognoscimus), and undertake a monastic life in conformity to its rules. Still they also add, nullum deinceps Manichacum, vel alium haereticum ad habitandum nobiscum recipiemus, and : de caetero non Christianos, sicut hactenus, sed fratres nos nominabimus. So we can not account them only as schismatic monks : especially when we consider that in Dalmatia, in times earlier than this, there were many Manichaeans to be found (see above, note 18), and that in the 13th century they were very numerous in Bosnia. They seem to have been Bogomili : these called themselves pre-eminently Christians, led a monastic life, and, when it was necessary, pretended to hold every orthodox doctrine, see below, § 96.

§ 88.

CONTINUATION. WALDENSES.

Principal Work: Jean Leger (Pasteur et Modérateur des Églises des Vallées, et depuis la violence de la persecution, appellé à l'Église Wallonne de Leyde) hist. générale des églises évangéliques de Piemont, ou Vaudoises, divisée en deux livres. Leyde, 1669. fol. (published in German by J. F. v. Schweinitz. Breslau, 1750. 4). Also: Hist. des Vaudois (by Jacques Brez, a preacher among the Waldenses and an inhabitant of Utrecht). Paris, Lausanne et Utrecht, 1796. 2 Tom. (in German, Leipz. 1798). Histoire des Vaudois par Alexis Muston (a Waldensian). Par. 1851. 4 vols. Fuesslin's Kirchen- u. Ketzerhist. d. mittlern Zeit, i. 293. Chr. U. Hahn's Gesch. d. Waldenser (2r Band der Gesch. d. Ketzer im Mittelalter, Stuttgart, 1847). (The whole literature is catalogued by Kist in d. Nederlandsch Archief voor kerkelijke Geschiedenis, vi. 109.)

[Henderson, Origin of the Vaudois, Lond. 1845. N. Arnaud, transl. by Aeland, Lond. 1827. Peyran, Hist. Def. transl. Lond. 1826. R. Baird, Wald. Albig. and Vaudois, Phil. 1848. W. S. Gilly, Excursion to Piedmont, Lond. 1826; Wald. Researches, Lond. 1831. G. S. Faber, History and Theology of Vallens. and Albigenses, Lond. 1838. S. R. Maitland, Facts and Doc. relative to the Ancient Waldens, Lond. 1832; Review of Fox's History of W., 1829, Strictures on Faber, Letter to Rev. J. King, and Remarks; comp. Maitland's Essays, 1852. H. P. Allix, Remarks on Churches of Piedmont, Oxf. 1821. A. W. Dieckhoff, d. Waldenser, u. s. w. Gotting. 1851: cf. Reuter's Rep. 1853. Herzog, in Rév. de Theologie, Strassb. 1850, and d. romanischen Waldenser, 8. Halle, 1853. A. Muston, Israel of the Alps, 4, 12. 1853.—Actenstücke zur Geschichte d. Waldenser, C. Schmidt, in Niedner's Zeitschrift, 1852. Lechler, Review of Herzog und Dickhoff, in Stud. u. Kritiken, 1855. New Documents on History of Waldenses, Herzog in Deutsche Zeitschrift, Sept. 1855.—Gilles, Histoire des Églises, etc. Geneva, 1644. A. Monastier, 2, 8. Toulouse, 1847, transl. New York, 1849. F. Bender, Gesch. d. Wald. Ulm, 1850. I. Valdesi, Amedeo Bert. Torino, 1849 (cf. North British Rev., Febr. 1855, on this work and on Sir Sam. Morland's History of Waldensian Church, 1658). M. H. Stevenson on Vaudois, in l'Université Catholique, 1855, four articles on Herzog. Waldenses and Roman Cath. Church, R. Southey in Qu. Rev. vol. 33.]

From the scriptural and reforming turn of mind which had been spread by means of Peter of Bruis and Henry, along with the sect of the Cathari, in southern France, there arose from the year 1170 the party of the Waldenses:¹ free from all speculative

¹ Confusion has been introduced by both friend and foe into the history of the Waldenses. At first they were confounded with the Cathari or Albigenses by Catholics (as, for instance, by Mariana and Gretser), in order to represent them as Manichaeans; by Reformed writers (as by Abbadie and J. Basnage) in order to clear the Albigenses also from the charge of Manichaeism. Further, the origin of the Waldenses is often referred to an earlier period than that of Peter Waldensis, though it is so clearly proved by the witness of contemporaries (see note 3) that he is the founder of the sect. This error arose in the following manner: as in general the beginning of corruption in the Church was dated from the Roman bishop Sylvester, the contemporary of Constantine (see § 54, note 49, § 59, note 36, § 87, note 32): so the Waldenses of the 13th century also taught (Reinerii Summa in Martene Thesaurus v. 1775), quod Ecclesia Christi permanxit in Episcopis et aliis Praelatis usque ad b. Sylvestrum, et in eo defecit quousque ipsi cam restaurarunt: tamen dicunt, quod semper fuerunt aliqui, qui Deum timebant et salvabantur. But their adver-

enthusiasm, they consecrated all their energies to realize once again the apostolic Christendom in all its simplicity and spirituality. About that year, the founder of the sect, Peter Waldensis² from Lyons, with several companions (*Pauperes de Lugduno*,

saries argued as *Moneta* (about 1240) did in his work *adv. Catharos et Waldenses*, p. 402 : quod universitas pauperum Leonistarum non est Ecclesia Dei—ostenditur, si ipsorum origo attendatur. Non enim multum temporis est, quod esse cooperantur, quoniam, sicut patet, a Valdesio cive Lugdunensi exordium acceperunt, qui hanc viam incepit, non sunt plures, quam octoginta anni, vel si plures aut pauciores, parum plures vel pauciores existunt. Ergo non sunt successores Ecclesiae primitivae, ergo non sunt Ecclesia Dei. Si autem dicunt, quod sua via ante Waldensem fuit, ostendant hoc aliquo testimonio, quod minime facere possunt. Accordingly, it was now the interest of the Waldenses to point out those persons among whom the true Church was upheld, from Sylvester to Peter Waldus. This led by degrees to a misunderstanding, as though their sect as such was older than him. With this many fabrications connected themselves; for instance, that of a founder named Leo, who is indebted for his origin entirely to Leonistæ, the name of the sect. Thus speaks the German author of the additions in the enlarged *Summa Reinerii*, c. 4 (Bibl. PP. Lugd. xxv. 264): *Inter omnes has sectas, quae adhuc sunt, vel fuerunt, non est perniciosior Ecclesiae, quam Leonistarum. Et hoc tribus de causis. Prima est, quia est diuturnior. Aliqui enim dicunt, quod duraverit a tempore Sylvestri: aliqui, a tempore Apostolorum. Conrad Justinger (recorder of Bern about 1420), in his Bernese Chronicle (Bern, 1819, s. 385), makes out Peter Waldensis to be a disciple and companion of Pope Sylvester, who separated from him, und wollt dem Pabst nit gehorsam syn. Petrus de Pilichdorff (about 1444) contra Waldenses, c. 1 (Bibl. PP. Lugd. xxv. 278): iniquitatis filii coram simplicibus mentiuntur, dicentes, sectam eorum durasse a temporibus Sylvestri Papæ, quando videlicet Ecclesia coepit habere proprias possessiones. Claud. Seysselli Archiep. Taurin. *adv. Waldenses disputationes* 1517: *Nonnulli haeresis hujus assertores, ad ebulandiendum apud vulgares et historiarum ignaros favorem, hanc eorum sectam Constantini M. temporibus a Leone quodam religiosissimo initium sumpsisse fabulantur, qui execrata Silvestri Romanae urbis tunc Pontificis avaritia, et Constantini ipsius immoderata largitione paupertatem in fidei simplicitate sequi maluit, quam cum Silvestro pingui opulentoque sacerdotio contaminari, cui cum omnes, qui de christiana religione recte sentiebant, adhaesissent sub Apostolorum regula viventes, hanc per manus ad posteros verae religionis normam transmiserunt. Quo sane commento quid potest esse fabulosius? That this fabrication is of later date than the 13th century is clear from the passage of the genuine Reinerius quoted above. However, after the Reformation it was not only received by the Reformed writers (Beza, Abbadie, J. Basnage, and others) and the Waldenses (most extravagantly by J. Leger), but even adorned in manifold ways. By these writers first, the Waldenses, without any historical ground, are brought also into an external connection with Claudio of Turin, Peter of Bruis, Henry, Arnold of Brescia, and others. On the grounds assigned in the writings of the Waldenses for their earlier origin, see below, note 12. Against both of these errors here touched upon, Fuessli, i. 293 ff, and ii. 200, has declared himself at great length. Against the plea of the Waldenses for an antiquity reaching beyond Peter Waldensis, see *Recherches historiques sur la véritable origine des Vaudois et sur le caractère de leurs doctrines primitives*. Paris, 1836.**

² Among the different forms of this name (Leger, p. 16), Valdo or Waldus is the most in use, and is found already in Alanus: Stephanus de Borbone, the authority most to be trusted, has *Valdensis*, *Moneta* p. 371 *Valdisius*, p. 403 *Valdesius* and *Valdensis*. According to Petrus de Pilichdorff, l. c., Peter was a citizen of the town of Walden, which is situated on the borders of France: according to a *Tractatus contra Waldenses*, which is appended to that of Peter of Pilichdorff (l. c. p. 300), he was from the region of Waldis (according to the *Centur. Magd. xii. p. 1204*, *sito in marchia Galliae*). *Comitatus Waldensis* (*Prudentii Trecent. ann. ad 839* in Pertz, i. 434, and in the document of 888, of Ru-

Leonistae, Sabatati)³, began to preach the Gospel in the manner of the apostles.⁴ At first they had so little intention of separating

dolph king of Upper Burgundy, see Div. i. § 30, note 1) is the country of Vaud. Waldo is a name often recurring in the Middle Ages, which might very easily be substituted by mistake for Waldensis. That the name Waldensis was transferred from Peter to his disciples, we have the assurance of the contemporary writers Gualterus Mapes and Alanus, and of Stephanus de Borbone and Moneta, who lived shortly after (see the proofs in notes 4 and 5). Never in this period was the name derived from the valleys in which they dwelt, or from which they drew their origin: although even so early as this time this heretical name, as well as that of the Cathari (§ 87, note 5) afforded plentiful sport to arbitrary etymologists. Ebrardi liber antihaeresis, cap. 25: *Quidam autem, qui Vallenses se appellant, eo quod valle lacrymarum maneant, etc.* Bernardus Abb. Fontis calidi adv. Waldenses paf. dicti sunt Waldenses, nimurum e valle densa, eo quod profundis et densis errorum tenebris involvantur.

³ Leonistae from Leona, Lyons. Sabatati, Xabatenses, Inzabbattati from sabbatum (the Italian ciabatta, and French sabot), a wooden shoe, open above, such as they were wont to wear. These sabots of the Waldenses, moreover, were distinguished by the sign of the cross upon them; probably the sandals with which they were fastened were tied cross-wise. Ebrardi liber antihaeresis, c. 25: *Xabatenses a xabata potius, quam Christiani a Christo, se volunt appellari. Sotulares cruciant, cum membra potius debeant cruciare, calceamenta coronant, caput autem non coronant.* Innocentius III. lib. xv. ep. 137, describes these sabots as, calcamenti desuper aperta, to distinguish them from calcamenti communibus. Chron. Ursperg. above, § 68, note 2, calceos desuper pedem praecidabant, et quasi nudis pedibus ambulabant. Petrus Mon. Valthum Cernaji, below, note 14, says one of the errors of the Waldenses consisted, in portandis sandaliis more Apostolorum.

⁴ Alani Summa quadripartita (comp. above, § 87, not. 27) lib. ii. c. 1 (in Opp. ed. de Visch, p. 258): *Waldenses dicuntur a suo haeresiarcha, qui vocabatur Waldus, qui suo spiritu ductus, non a Deo missus, novam sectam invenit, scilicet ut sine Praelati auctoritate, sine divina inspiratione, sine scientia, sine literatura praedicare praesumeret.* Stephanus de Borbone or de Bellavilla (a Dominican in Lyons about 1225, not 1262, as Schrockh says xxix. 530) de septem donis Spiritus sancti tit. 7, c. 31 (ex Ms. in d'Argentre, i. 87): *Waldenses autem dicti sunt a primo hujus haeresis auctore, qui nominatus fuit Waldensis.* Dicuntur etiam Pauperes de Lugduno, quia ibi incepuperunt in professione paupertatis. Vocant autem se Pauperes spiritu (because of Matth. v. 3). Incepit autem illa secta per hunc modum, secundum quod ego a pluribus, qui priores eorum viderunt, audivi, et a sacerdote illo,—qui dictus fuit Bernardus Ydros, qui, cum esset juvenis et scriptor, scripsit dicto Waldensi priores libros pro pecunia in Romano, quos ipsi habuerunt, transferente et dictante ei quodam Grammatico, dicto Stephano de Ansa, quem ego saepe vidi. Quidam dives rebus in dicta urbe, dictus Waldensis, audiens Evangelia, cum non esset multum literatus, curiosus intelligere, quid dicebant, fecit pactum cum dictis sacerdotibus, altero, sic ut transferret ei in vulgari, altero, ut scriberet, quae ille dictaret: quod fecerunt: similiter multos libros Bibliae, et auctoritates Sanctorum multas per titulos congregatas, quas sententias appellabant. Quae cum dictus civis saepe legeret, et corde tenus firmaret, proposuit servare perfectionem evangelicam, ut Apostoli servaverant. Qui, rebus suis omnibus venditis, in contemptum mundi per lutum pauperibus pecuniam suam projiciebat, et officium Apostolorum usurpavit et praesumpsit: Evangelia, et ea, quae corde retinuerat, per vicos et plateas praedicando, multos homines et mulieres, ad idem faciendum, ad se convocando, firmans eis Evangelia: quos etiam per villas circumiacentes mittebat ad praedicandum vilissimorum quorumcunque officiorum. Qui etiam, tam homines, quam mulieres, idiotae et illiterati, per villas disurrentes, et domos penetrantes, et in plateis praedicantes, et etiam in Ecclesiis, ad idem alios provocabant. Cum autem ex temeritate sua et ignorantia multos errores et scandala circumquaque diffunderent, vocati ab Archiepiscopo Lugdunensi, qui Joannes vocabatur, prohibuit eis, ne intromitterent se de Scripturis exponentibus vel praedicantibus.

from the Church, that when the Archbishop of Lyons forbid them to preach they petitioned the Pope Alexander III. (in 1179)⁵ for his permission. But when Lucius III. (in 1184)⁶ pronounced sentence

dis. Ipsa autem recurrentes ad responcionem Apostolorum (Act. v. 29): Magister eorum usurpans Petri officium, sicut ipse respondit principibus sacerdotum ait: *Obedire oportet magis Deo, quam hominibus, qui praecuperat Apostolis: Praedicate Evangelium omni creaturae* in fine Marci. Quasi hoc dixisset Dominus eis, quod dixerat Apostolis: qui tamen praedicare non praesumpserunt, usquequo induiti virtute ex alto fuerunt, etc.—li ergo, Valdensis videlicet et sui, primo ex praesumptione et officii apostolici usurpatione ceciderunt in inobedientiam, demum in contumaciam, demum in excommunicationis sententiam. Post, expulsi ab illa terra, ad Concilium, quod fuit Romae ante Lateranense (viz. before the fourth Later. ann. 1215, and so that of the year 1179), vocati, et pertinaces, fuerunt schismatici postea judicati. Postea in Provinciae terra et Lombardiae cum aliis haereticis se admiscentes, et errorem eorum bibentes et serentes, haeretici sunt judicati—infestissimi et periculosissimi, ubique discurrentes, speciem sanctitatis et fidei prætendentes, veritatem autem ejus non habentes, tanto periculosiores, quanto occultiores, se sub diversis hominum habitibus et artificiis transfigurantes.—Incepit autem haec secta circa annum ab Incarn. Domini 1170 sub Joanne dicto Belesmanis, Archiepiscopo Lugdunensi. Jean de Bellesmains, formerly bishop and companion of the legate, Peter of St. Chrysogonus, in his mission to Toulouse (Hist. de Languedoc, iii. 47), after the preceding bishop had been deposed, was advanced in 1181 to the see of Lyons (l. c. p. 58). This account is repeated from Stephanus de Borbone, by an anonymous writer in the tractatus de haeresi Pauperum de Lugduno (in Martene Thesaur. v. 1777), but instead of 1170 he fixes the year 1180. Compare the first appearance of Francis of Assisi, above, § 68.

⁵ Compare Steph. de Borbone above, note 4. Gualterus Mapes (see above, § 62, note 20) ex Ms. ap. Usserius de christ. Eccles. successione et statu ed. ii. Lond. 1682. fol. p. 112: Vidimus in concilio Romano sub Alexandro III. celebrato Valdesios, homines idiotas illiteratos, a primate ipsorum Valde dictos, qui fuerat civis Lugduni super Rhodanum: qui librum domino Papae præsentaverunt lingua conscriptum Gallica, in quo textus et glossa Psalterii plurimorumque legis utriusque librorum continebatur. Hi multa petebant instantia, prædicationis auctoritatem sibi confirmari.—Hi certa nusquam habent domicilia, bini et bini circumeunt, nudi pedes, laneis induti, nihil habentes, omnia sibi communia tanquam Apostoli, nudi nudum Christum sequentes: humillimo nunc incipiunt modo, quia pedem inferre nequeunt; quos si admiserimus, expellemur. Moneta (about 1240) adv. Catharos et Waldenses lib. v. c. 1 (ed. Riechini, p. 402) says to the Waldenses: Vos venistis a Valdesio. Dicatis, unde ipse venit. Constat, quod non nisi a papa Romanæ Ecclesiae. Ergo Papa est solus haeres Ecclesiae primitivæ. Si autem dicat, quod non sit a Papa: ad quid ergo venit ad Papam, et promisit servare IV. Doctores, scil. Ambrosium, Augustinum, Gregorium et Hieronymum, et sic accepit a Papa prædicationis officium? Cujus rei testimonium facile potest inveniri. So even in the 14th century the Waldenses had the tradition (see Rohrich in Illgen's Zeitschr. f. hist. Theol. 1840, i. 149. a note from an old court register in Strasburg), das vor 200 joren der gloube vaste abe lüten gangen, und lebent zu derselben ziten zweene von den genannt waldensium, di waren gen Rome getoren zu dem bobeste, und hetten an dem geworben den glouben, den si seitent, und solte das der rechte gloube seyn, und hette in der bobest die christenheit dazu empfohlen in den glouben wiederzubringende. In the tradition the occurrence in the time of Alexander III. seems to be confounded with the establishment of the Pauperes catholici under Innocent III. (see below, § 90, note 27).

⁶ Lucii decretum contra Haereticos (Deer. Greg. lib. v. tit. 7. c. 9, and Mansi xxii. 476, issued at the Concil. Veronense ann. 1184, l. c. p. 488, 492):—In primis ergo Catharos et Patarinos, et eos, qui se Humiliatos vel *Pauperes de Lugduno* falso nomine mentiuntur, Passaginos, Josepinos, Arnaldistas perpetuo decernimus anathemate subjaciere. Et quoniam nonnulli sub specie pietatis, virtutem ejus, juxta quod ait Apostolus, denegantes,

of excommunication against them, then they thought they must obey God rather than man, and withdrew from a Church which cursed that which seemed to them a call from Heaven. At first the only question at issue between them and the Roman Church was on the exclusive right of the clergy to preach; and hence they spread more easily in those countries where the corruptions of the Church were exposed plainly enough to convince all, but where many still felt themselves not less repelled by the Catharism which was set up in opposition:⁷ for instance, in France, particularly the southern parts,⁸ down as far as Aragon,⁹ and in northern Italy, particularly in Milan.¹⁰ And in every place where they came, fresh zeal went forth from them among the people to learn to understand the Holy Scriptures for themselves.¹¹

auctoritatem sibi vindicant praedicandi: cum idem Apostolus dicat: *quomodo praedicabunt, nisi mittantur?* (Rom. x. 15) omnes qui vel prohibiti, vel non missi, praeter auctoritatem ab apostolica sede vel Episcopo loci susceptam, publice vel privatim praedicare prae-
sumperint,—pari vinculo perpetui anathematis innodamus, etc.

⁷ Guilelmus de Podio Laurentii (see above, § 87, note 28) in prologo: Et illi quidem Valdenses contra alios (Arianos et Manichaeos) acutissime disputabant.—Unde et in eorum odium alii admittebantur a sacerdotibus idiotis. Compare below, notes 13 and 14.

⁸ About 1190 there was a conference in Narbonne between the Catholics and Waldenses, see Bernard de Fonte calido, below, note 15. In the year 1207, the wife and one sister of the Count de Foix had joined the Waldenses, see below, § 89, note 5.—In Toul (see statuta synodalia Odonis Episc. Tullensis. ann. 1192 in Martene Thes. aneccl. iv. 1182: De haereticis autem, qui vocantur *Wodoys*, omnibus fidelibus—praecepimus, ut quicunque eos invenerint, vinculis astrictos teneant, et ad sedem Tullensem puniendos adducant); and in Metz (Alberici chron. ad ann. 1200: in urbe Metensi pullulante secta quae dicitur Valdensium, directi sunt quidam Abbates ad praedicandum, qui quosdam libros de Latino in Romanum versos combusserunt et praedictam sectam extirpaverunt. Cf. Caesarii Heisterbac. de miraculis et visionibus sui temporis lib. v. c. 20, according to whom even in his time, about 1222, they were not yet entirely exterminated).

⁹ There is an edict of Alphonso II., king of Aragon in the year 1194 (in Nic. Eymerici directorio Inquisitorum, p. 282, edit. Venet. in d'Argentré, i. 83):—Si quis igitur ab hac die et deinceps praedictos Waldenses et Zappatatos (above: Waldenses, sive Inzabbatatos, qui alio nomine se vocant Pauperes de Lugduno) aliasque haereticos, cuiusque fuerint professionis, in dominibus suis recipere, vel horum funestam praedicationem aliquo loco audire, vel his cibum, vel aliud aliquod beneficium largiri praeumpserset, indignationem omnipotentis Dei et nostram se noverit incurrisse, bonisque suis, absque appellationis remedio, confiscandis, se, tanquam reum criminis laesae majestatis puniendum.

¹⁰ Innocent. III. lib. xii. epist. 17, ad Archiepisc. Mediolanensem in the year 1209, mentions a pratum, quod commune Mediolanense ipsis olim concesserat, in quo sua schola constructa consueverant convenire ac exhortari fratres adinvicem et amicos, quam bona memoriae praedecessor tuus destrui fecerat, dum essent excommunicationis vinculo innodati. Thus in the diocese of Besançon a Waldenser was taken prisoner, who, according to Stephanus de Borbone ap. d'Argentré l. c. p. 86, for eighteen years apud Mediolanum studuerat in secta haereticorum Waldensium.

¹¹ So in Metz comp. above, note 8. Innocent. III. lib. ii. ep. 141, ad universos Christ. tam in urbe Metensi quam ejus diocesi constitutos ann. 1199 (also Deqr. Greg. lib. v. tit. 7, c. 12): Significavit nobis ven. frater noster Metensis Episcopus per literas suas, quod

However, by consistently carrying out the fundamental principle upon which they had separated from the Roman Church, and by diligent reading of the Holy Scriptures, they could not fail to be led onward still further. How far they advanced in the 12th century, we are able to ascertain, partly from their own literary remains,¹² partly from the writings of their adversaries of this date:

tam in dioecesi quam urbe Metensi laicorum et mulierum multitudo non modica, tracta quodammodo desiderio Scripturarum, Evangelia, epistolas Pauli, psalterium, moralia Job, et plures alios libros sibi fecit in Gallico sermone transferri, translationi hujusmodi adeo libenter, utinam autem et prudenter, intendens, ut secretis conventionibus talia inter se laici et mulieres eructare praesumant, et sibi invicem praedicare: qui etiam aspernantur eorum consortium qui se similibus non immiscent, et a se reputant alienos, qui aures et animos talibus non apponunt. Quos cum aliqui parochialium sacerdotum super his corripere voluissent, ipsi eis in faciem restiterunt, conantes rationes inducere de Scripturis, quod ab his non deberent aliquatenus prohiberi. Quidam etiam ex eis simplicitatem sacerdotum suorum fastidunt, et cum ipsis per eos verbum salutis proponitur, se melius habere in libellis suis, et prudentius se posse id eloqui, submurmurant in occulto. Licet autem desiderium intelligendi divinas Scripturas, et secundum eas studium adhortandi reprehendendum non sit, sed potius commendandum; in eo tamen apparent merito arguendi, quod tales occulta conventicula sua celebrant, officium sibi prædicationis usurpant, sacerdotum simplicitatem elidunt, et eorum consortium aspernantur, qui talibus non inhaerent.—Tanta est enim divinae Scripturae profunditas, ut non solum simplices et illiterati, sed etiam prudentes et docti non plene sufficiant ad ipsius intelligentiam indagandam.—Unde recte fuit olim in lege divina statutum, ut bestia, quae montem tetigerit, lapidetur; ne videlicet simplex aliquis et indoctus praesumat ad sublimitatem Scripturae sacrae pertingere, vel etiam aliis praedicare. Scriptum est enim: *Altiora te ne quaesieris.* Propter quod dicit apostolus: *Non plus sapere, quam oporteat sapere, sed sapere ad sobrietatem.*—Cum Doctorum ordo sit quasi præcipuuſ in Ecclesia, non debet sibi quisquam indifferenter prædicationis officium usurpare, etc. He says the same in Epist. 142, ad Episc. Metensem, with the remark, quod vel iudeum errant in fide, vel a doctrina discrepant salutari, nobis per tuas literas non duxisti exprimendum.

¹² Concerning these, see Hahn, ii. 3: the greater portion of them are printed in Hahn, ii. 561. Many of these, ever since Leger's time, have been referred to a period between 1100 and 1120: this, however, is without doubt wrong. At the head of them stands the Poem La nobla Leyezon (in Raynouard choix des poésies originales des Troubadours, ii. 73; in Hahn, ii. 628). From the passage (quoted in Raynouard, p. 73):

Ben ha mil e cent ancz compli entierament,
Que fo scripta l'ora : car sen al derier temp;

that is, "The world has already completed a thousand and a hundred years,—since the hour was appointed: therefore we are in the last time." From this, since Leger, it has always been inferred that this poem professes to have been written in the year 1100. But the reckoning here is plainly not from the birth of Christ, but probably from the writing of the Apocalypse, which, according to Irenaeus, should be placed at the end of Domitian's reign, and so this number of years leads to the close of the 12th century. The whole is a simple and forcible exhortation to Christian life and faith, with bitter censures on the demoralized clergy. Among other passages, see p. 95:

Si n'i a alcun bon, que ame et teme (*timet*) Yeshu Xrist,
Que non volha maudire, ni jurar, ni mentir,
Ni avoutrar (*to commit adultery*), ni aucir (*occidere*), ni penre (*prendre*) de l'autruy,
Ni venjar (*venger*) se de li seo enemis,
Ilh dion (*dissent*), qu'es Vaudes e degne de murir.

Further, p. 97: No Pope, from Sylvester till now, can forgive sins: "solament Dio per-

among these, Eberhard of Bethune,¹³ and Peter of Vaux-Cernay,¹⁴ make only cursory mention of the Waldenses; but Bernard, abbot of Fontcaude,¹⁵ in his account of a religious con-

dona.” According to this the popedom first began with Sylvester. The rest of the Poésies des Vaudois, contributed by Raynouard and Hahn, breathe the same spirit (viz. La Barca, Lo novel sermon, Lo novel confort, Lo Payre (*Père*) eternal, Lo despreczi del mont (contempt of the world), L'avangeli de li quatre semencz (in reference to Matth. xiii. 3 ff.); accordingly, they likewise undoubtedly belong to the first age of the sect. Comp. on the collective Poésies des Vaudois, Raynouard in the dissertations at the beginning of T. ii. p. cxxxvii. on their doctrinal views, Hahn, ii. 71. The rest of the works, for which we are indebted to Leger, namely, a Catechism, daté de l'an 1100, p. 58; Treatises on the Anti-Christ, daté de l'an 1120, p. 71; on Purgatory, de l'an 1126, p. 83; on the Invocation of Saints, de l'an 1120, p. 87; and a Confession, de l'an 1120, p. 92, bear traces, on the other hand, of a controversial development in doctrine, which points to a later date, while we have no information on what authority the years assigned to them rest. The mention of the adoration of the Eucharist, on p. 74, also directly contradicts the date assigned (see above, § 77, note 14). The passage on p. 75: *Nous non avèn conegu (connu) autre Sacrement, que lo Baptisme, e la Eucharistia*, is already manifestly opposed to the seven Catholic sacraments (comp. above, § 77, note 20).

¹³ Ebrardi lib. antihacresis (see above, § 87, note 25), cap. 25: *Quidam autem, qui Valdenses se appellant, eo quod in valle lacrymarum maneant, Apostolos habentes in derisum, et etiam Xabatenses a Xabatata potius, quam Christiani a Christo se volunt appellari, Sotulares cruciant, cum membra potius debeant cruciare: calceamenta coronant, caput autem non coronant.* The accusations made are, that they did not work for their bread, but begged, and preached on their own authority. He brings against them no definite errors in faith. *Quamvis enim contra fidem multa doceant, tamen quaedam bona permiscent, ut dum bonum conferunt, malum abscondant, more beneficorum, qui dum venena porrigit, ora calicis melle linunt.*—*Quia in quibusdam nobis communicatis, in aliis non dissentitis, hostes estis tanquam domestici.*

¹⁴ Petrus Mon. Vallium Cernaji, c. 2, after the passage quoted above, § 87, note 28, writes thus: Erant practerea alii haeretici, qui Waldenses dicebantur a quodam Waldio nomine, Lugdunensi. Hi quidem mali erant, sed comparatione aliorum haereticorum longe minus perversi. In multis enim nobiscum conveniebant, in aliquibus dissentiebant. Ut autem plurima de infidelitatibus eorum omittamus, in quatuor praecipue consistebat error eorum: in portandis scilicet sandaliis, more Apostolorum; et in eo quod dicebant, nulla ratione jurandum, vel occidendum; in hoc insuper, quod asserebant, quemlibet eorum in necessitate, dummodo haberet sandalia, absque ordinibus ab Episcopo acceptis, posse confidere corpus Christi.

¹⁵ Bernardus Abb. Fontis calidi contra Waldenses (prim. ed. Jo. Gretser in Triade scriptorum adv. Wald., afterward in Bibl. PP. Lugdun. xxiv. 1585). Praef. Sanctae Romanae Ecclesiae praesidente domino Lucio, inclitae recordationis, subito extulerunt caput novi haeretici, qui quodam praesagio futurorum sortiti vocabulum, dicti sunt Waldenses, nimirum a Valle densa, eo quod profundis et densis errorum tenebris involvantur. Hi, quamvis a praefato summo Pontifice condemnati, virus suae perfidiae longe lateque per orbem temerario ausu evomuerunt. Eapropter contra eos pro Ecclesia Dei dominus Bernardus Narbonensis Archiepiscopus (Bernard Gaucelin, archbishop from 1181–1191. Cf. Hist. de Languedoc, iii. 128)—se fortē murum opposuit. Accitis itaque pluribus tam clericis quam laicis, religiosis ac saecularibus, ad judicium vocavit. Quid plura? Causa diligenter investigata condemnati sunt. Nihilominus tamen postea, et clam et publice, semen suae nequitiae spargere ausi sunt. Unde rursum, quamvis ex abundantia ad disceptationem vocati sunt per quosdam tam clericos quam laicos: et, ne lis diutius protraheretur, electus est ab utraque parte judex, quidam sacerdos, Raimundus scil. de Daventria, vir siquidem religiosus ac timens Deum, nobilis genere, sed conversatione nobilior. Assig-

ference held about 1190 in Narbonne, and Alanus,¹⁶ attack them in detail.

nata igitur die causae adveniente, congregatis invicem partibus, aliquis quam plurimis clericis et laicis, de quibusdam capitulis, in quibus male sentiebant, a veris Catholicis accusati sunt: eisque per singula respondentibus hinc inde diu disputatum est, et ab utraque parte multae productae auctoritates. Auditis igitur partium allegationibus praefatus judex per scriptum definitivam dedit sententiam, et haereticos esse in capitulis, de quibus accusati fuerant, pronunciavit. Quibus autem auctoritatibus vel rationibus suam assertionem defenderent: quidve eis a nobis Catholicis responsum sit:—praesenti intextimus opuscule, adjectis etiam quibusdam aliis tractatibus contra alias haereses. Haec autem omnia fecimus maxime ad instruendos vel commonendos quosdam Cleros, qui, vel imperitia vel librorum inopia laborantes, hostibus veritatis non resistendo, facti sunt in offensionem et scandalum fidelibus, quibus praesunt, etc. The points of accusation against the Waldenses are, I. In primis arguuntur de inobedientia, quia scilicet non obediunt Ecclesiae Romanae,—nec Episcopis, nec sacerdotibus obtemperant (cap. 1–3), but the reasons why the Waldenses did not do so are not given. II. cap. 4: Secundo prae dicant omnes passim, et sine delectu conditionis, aetatis vel sexus. Et quoniam in hoc errore multi eorum, qui specie tenus Christiani dicuntur, seducuntur, gratia revocandi ipsos, et reliquos confirmandi,—videamus, quibus rationibus—innitantur ipsi, quidve a Catholicis dicatur contra eas infirmandas,—et tertio loco, quid in sua assertione Catholici inducant. The Waldenses asserted, ab omni, qui seit verbum Dei in populis seminare, praedicandum esse, and referred, by way of proof, to James iv. 17, and the declarations of Gregory the Great: qui in corde vocem superni amoris acceperit, foras etiam proximis vocem exhortationis reddat, and, in quantum pro divina largitate sufficiat, proximis vestris boni verbi cyathos date; and to Mark ix. 38, 39; Phil. i. 15–18; Num. xi. 29. They said further, quod multi laici verbum Dei in populo fideli disseminaverunt, sicut fuit b. Honоратус et s. Equitius, quorum meminit s. Gregorius in lib. Dialog. et in his temporibus s. Raymundus cognomento Paulus, ad cuius sanctitatem approbandam multa fiunt miracula.—On the other side, Bernard, in cap. 5, unfolds the positive reasons for the statement, *quod non licet eis verbum Dei ministrare fidelibus*: Et quoniam de laicis quaestio est, an verbum Dei seminare valeant in populis, distinguendum est, an sint Catholici, vel non. Nimur si sint Catholici, et honestas vitae eos commendet, si sermo eorum sit sale conditus, etc.—ad nutum Episcoporum, vel Presbyterorum, in quorum territorio fuerint, proximos exhortari, ut arbitror, poterunt: si tamen uxoribus alligati non fuerint, nec eos pondus terrenae sollicitudinis oppressit. Cap. 6: Sane sive laicus, sive clericus in haeresim lapsus fuerit, a fidelibus audiendus non est, sed vitandus.—Tales sunt, qui dicunt, non esse obedendum Episcopis, sacerdotibus, nec, quod dictu horribile est, s. Romanae Ecclesiae. Afterward, in answer to their plea, *obedire oportet Deo magis, quam hominibus*.—Provocant vero iram Dei in se, quia aliter quam s. Ecclesia docent. This must refer to their scriptural method of teaching, for disobedience was always given out as their only heresy. Cap. 7: Seducunt mulieres prius, per eas viros. Cap. 8: Praeter errores jam dictos graviter errant, quia foeminas, quas in suo consortio admittunt, docere permittunt, against 1 Cor. xiv. 34. In support of this they appeal to Tit. ii. 3, 4, and Luke ii. 36.—Cap. 9: Et quoniam nos est male errantium, nisi continuo resipiscant, in deteriora labi,—audent jam insani haeretici eis, quos seducunt, dicere, defunctis nil prodesse fidelibus vivorum eleemosynas, jejunia, orationes, nec etiam Missarum solemnia, seu orationes pro eis factas. In support of this they appeal to John xii. 35; 2 Cor. vi. 2; Gal. vi. 10; Eccl. ix. 10; Ps. cv. 1. Then follow some treatises against other heretics, viz. cap. 10: qui negant ignem purgationis; cap. 11: qui dicunt, animas nec caelum nec infernum ingredi ante judicium; sed animas justorum placidis contineri receptaculis, reproborum vero spiritus in locis penalibus; cap. 12: qui domum Dei contemnentes, malunt orare in stabulis, vel in cubiculis seu in thalamis, quam in—Ecclesia.

¹⁶ Alani Summa quadripartita, lib. ii. (comp. § 87, note 27). He proves against them, in cap. 1: quod nullus debeat praedicare, nisi sit a majore Praelato missus; he over-

§ 89.

WAR AGAINST THE ALBIGENSES, INQUISITION, PROHIBITION OF
THE BIBLE.

Petrus Vallium Cernaji *historia Albigensium* (*Rerum Gall. et Francie. scriptores*, xix. 1), and Guilelmus de Podio Laurentii *super historia negotii Francorum adv. Albigenenses* (l. c. p. 193. Concerning both, see above, § 87, note 28). *Histoire de la croisade contre les hérétiques Albigeois*, écrite en vers provençaux par un poète contemporain, traduite et publiée par E. Fauriel, Paris, 1837. 4. (in the *Collection de documents inédits sur l'histoire de France*, première série.) This work was afterward recast in prose in the *Histoire de la guerre des Albigeois*, écrite en Languedocien, par un ancien auteur anonyme in the *Histoire de Languedoc*. T. iii. *Preuves*, p. 1.

Histoire générale de Languedoc, par un Religieux Bénédictin de la Congr. de S. Maur. (Claude le Vic and Joseph Vaissette) tom. iii. (Paris, 1737. fol.), p. 127 ss.¹ *Histoire des croisades contre les Albigeois* par J. J. Barrau et B. Darragon, 2 tomes, Paris, 1840. Schlosser's *Weltgeschichte*, III. ii. i. 187. Hurter's *Innocenz III.* ii. 263. Hahn's *Gesch. d. Ketzer im Mittelalter*, i. 171. [J. du Tillet, *Hist. belli contra Albig. ex Bibl. Vat. ed. A. Drissel*, 1845. Sismonde, *Les croisades contre les Albig.* Par. 1828. in English, Lond. 1829. R. Wheaton, in *North Am. Rev.* vol. 70. J. P. Allix, *Remarks on Hist. of Albig.* Oxf. 1821.]

The earlier measures taken against the heretics in southern France had caused so little hinderance to their extension, that they constituted the dominant party² at the end of the 12th century. In the *Historia Albigensium* (cap. 2–4), their assertion, *neminem debere alicui obedire, nisi Deo*; and then, in cap. 5–7, attacks those, qui dicunt, *quod bonis Praelatis tantum sit obediendum*; cap. 8, qui dicunt, *quod Officium vel Ordo nihil confert ad consecrandum, vel benedicendum, ad ligandum et solvendum*; cap. 9 and 10, qui dicunt, *quod non tenetur quis confiteri sacerdoti, si praesto sit laicus*; cap. 11, *quod generales absolutiones, quae fiunt ab Episcopis in variis officiis, non sint ratae*; cap. 12–14, *quod suffragia illa, quae fiunt ab illis, qui sunt in peccato mortali, non prosunt mortuis*; cap. 15–17, *quod omne mendacium est peccatum mortale*; cap. 18, 19, *quod nullo modo est jurandum*; cap. 20–23, *quod nullo modo homo est occidendum*; cap. 24, 25, *quod Praedicatores non debent laborare manibus*.

¹ These Benedictines, by their bold impartiality, drew upon themselves the reproaches of the Jesuits of Trevoux, against which they defended themselves very pointedly in the preface to tom. iv.

² Petrus Vall. Cernaji, c. 1: *Haec Tolosa tota dolosa a prima sua fundatione, sicut asseritur, raro vel unquam expers hujus pestis vel pestilentiae detestabilis hujus haereticæ pravitatis, a patribus in filios successive veneno superstitionis infidelitatis diffuso.—Vicinæ urbes et oppida radicatis in se haeresiarchis per ejusdem infidelitatis surculos pululanties inficiebantur mirabiliter et miserabiliter peste ista.* Barones terræ provincialis fere omnes haeticorum defensores et receptores effecti ipsos amabant ardentius, et contra Deum et Ecclesiam defendebant. Guilelm. de Podio Laur. in prologo: *Adeo profecerunt haeretici, quod per villas et oppida habere sibi hospitia, agros et vineas incepérunt, domos latissimas, in quibus haereses publice praedicarent suis credentibus venditantes. Erantque quidam Ariani, quidam Manichæi, quidam etiam Valdenses sive Lugdunenses, qui licet inter se essent dissidentes, omnes tamen in animarum perniciem contra fidem catholicam conspirabant. Et illi quidem Valdenses contra alios acutissime disputabant: unde et in eorum odium alii admittebantur a sacerdotibus idiotis. Propter quod terra tanquam reproba et maledictioni proxima pauca praeter spinas et tribulos germinabat, raptiores et ruptarios, fures, homicidas, adulteros et usurarios manifestos. Capellani autem*

ry in many parts of this country. For this reason Innocent III., immediately after his accession to the see in 1198, was induced to send legates thither, armed with the most unlimited powers for the suppression of heretics.³ After they had produced, by forcible measures, effects more apparent than real, Diego, bishop of Osma, with Dominic, the sub-prior of his Cathedral, persuaded them, in the year 1206, to adopt a more apostolical way of proceeding.⁴ Now the two legates, the Cistercians, Peter of Castelnau and Raoul, with these two Spaniards, wandered barefooted from place to place, and held conferences with the heretics on the disputed points, viz. at the castles of Verfeuil, Caraman, Montreal, and Pamiers (1206 and 1207).⁵ When, however, all this continued with-

tanto contemptui habebantur a laicis, quod eorum nomen ac si Judaei essent in juramentum a pluribus sumebatur. Unde, sicut dicitur : *malleum esse Judaeus*, sic dicebatur : *malleum esse Capellanus*, quam hoc vel illud facere. Clerici quoque si prodirent in publicum, coronas modicas prope frontem pilis occipitis occultabant. Milites enim raro suos liberos clericatui offerebant : sed ad Ecclesiias, quarum tunc ipsi decimas percipiebant, hominum suorum filios praesentabant. Et Episcopi quales pro tempore poterant clericabant : ipsi quoque milites dominationem contempentes, prout libebat, nemine prohibente his aut illis haereticis adhaerebant, et haereticis in tanta reverentia habebantur, quod habebant coemeteria, in quibus, quos haereticaverunt, publice tumulabant, a quibus lectos integros et vestes recipiebant : quibus et largius quam personis ecclesiasticis legabantur : ipsi nec ad excubias, nec ad tallias cogebantur. Si quis etiam homo de guerra gradiens cum eis in via inveniretur, ab hostibus tutus erat : sic pro magna parte diabolus per illos terram in pace sua, velut suum atrium, possidebat.

³ Innocent III. lib. i. epist. 94, to all the bishops and barons of southern France, an attestation of the Legates Rainerius and Guido, two Cistercians, with the charge to the bishops, ut omnia, quae idem frater Rainerius contra haereticos, fautores et defensores eorum duxerit statuenda, recipiatis humiliter et inviolabiliter observetis ; and to the barons, ut eis contra haereticos viriliter et potenter assistant. There is a threat withal : *De-dimus autem dicto fratri R. liberam facultatem, ut eos (Principes) ad id per excommunicationis sententiam, et interdictum terrae appellatione remota compellat.* In conclusion : *Scribimus etiam universo populo vestracae provinciae, ut cum ab eisdem fratribus R. et G. fuerint requisiti, sicut ipsi mandaverint, contra haereticos accingantur ; illis, qui pro conservatione fidei christiana in tanto discriminis, quod Ecclesiae imminent, ipsis adstiterint fideliter et devote, illam peccatorum suorum indulgentiam concedentes, quam b. Petri vel Jacobi limina visitantibus indulgemuim.* Lib. ii. epist. 122, is the warrant given to Rainerius.

⁴ Petrus Vallum Cernaji, c. 3 : *Factum est igitur, ut dum rediret (Diegus, Episc. Oxoniensis) a curia : et esset apud Monttempessulanum, invenit ibi venerabilem virum Arnaldum Abbatem Cisterciensem, et F. Petrum de Castronovo, et F. Radulphum, Monachos Cistercienses, apostolicae sedis Legatos, injunctae sibi legationi p[ro]ae taedio renunciare volentes, eo quod nihil aut parum haereticis praedicando proficeret potuissent. Quotiescumque enim vellent ipsis haereticis praedicare, objiebant eis haeretici conversationem pessinam clericorum, et ita, nisi vellent clericorum vitam corrigere, oporteret eos a praedicatione desistere.* Memoratus autem Episcopus adversus hujusmodi perplexitatem salubre dedit consilium, monens et consulens, ut cacteris omissis praedicationi ardentius insudarent : et ut possent ora obstruere malignorum in humilitate praecedentes exemplo pii magistri facerent et docerent ; irent pedites, sine auro et argento, per omnia formam apostolicam imitantes.

⁵ Concerning these, see Petrus Vall. Cernaji, c. 3 and 6, and Guilelm. de Podio Laur.

out effect,⁶ they returned again to the old method with tenfold cruelty.

Raymund VI., count of Toulouse, though outwardly a Catholic,⁷ had fallen out with the ambitious legate, Peter of Castelnau. So when the latter, in 1208, was murdered by an unknown hand, the monks threw the blame on the count; and Innocent III. seized this opportunity to have a crusade preached against him by Arnold, abbot of Citeaux;⁸ for which national jealousy and the allurements of the delicious south procured great popularity in northern France.⁹ In order to avert the threatening danger, Raymund sought for reconciliation. Innocent granted this with a view to weaken the resistance of the victims by division.¹⁰ When (in

c. 8 and 9. On the conference at Montreal, Vignier *recueil de l'hist. de l'église* (Leyde, 1601. fol.), p. 410, gives some information from a manuscript in the Catalonian language: so also Perrin *histoire des Chrestiens Albigeois* (Genève, 1618), p. 8, from an Albigensian manuscript. The opponents in the first three conferences seem to have been Cathari. In Pamiers, at the castle of Count Raymund Roger of Foix, whose wife and one sister were Waldenses, while the other sister belonged to the Cathari, the Waldenses are the party attacked. One sister defended the heresy: cui F. Stephanus de Minia: *Ite, domina, inquit, filiate colum vestram, non interest vestra loqui in hujusmodi contentione.* (Guilelm. de Podio Laur. c. 8.)

⁶ On the redoubled activity of the Catharic teachers, and the rebuilding of the strong castle Montségur, to serve as a place of refuge for them, see Schmidt in the *Strassburger Beiträge zu den theolog. Wissenschaften*, i. 110.

⁷ Inwardly beyond doubt he was united to the Cathari, see Schmidt, S. 95, in the work already cited.

⁸ Innocent III. lib. xi. epist. 26, to the bishops of southern France: *Sane rem audivimus detestabilem,—quod cum sanctae memoriae F. Petrus de Castronovo—in commisso sibi ministerio laudabiliter profecisset;—concitavit adversus eum diabolus ministrum suum Comitem Tolosanum, etc.* Then follows a detailed account of the murder of the legate. *Licet autem praefatus Comes—jam dudum sit anathematis mucrone percussus, quia tamen certis indiciis mortis sancti viri praesumitur esse reus,—ob hanc quoque causam anathematizatum eum publice nuncietis.*—*Omnis, qui dicto Comiti fidelitatis seu societatis aut foederis hujusmodi juramento tenetur astrieti, auctoritate apostolica denuncietis ab eo interim absolutos; et cuilibet catholico viro licere, salvo jure domini principalis, non solum persequi personam ejusdem, verum etiam occupare ac detinere terram ipsius, etc.* Epist. 28. The summons to King Philip: *Clamatem ad te justi sanguinis vocem audias, et contra tyrannum hostemque fidei scutum pro Ecclesia protectionis assumas.* Epist. 29 is a similar exhortation addressed to the French nobles and people. Cf. epist. 32, ad Abb. Cisterciensem, and epist. 33, ad Turon. Archiep. et Paris. et Nivern. Episcopos. Yet Raymund was guiltless of the murder, see *Hist. de Languedoc*, iii. 154, and even Innocent III. afterward owned that he never was convicted of the crime, lib. xv. ep. 102 (below, note 17).

⁹ Hurter's *Innocenz III.* ii. 300. Schmidt in the *Strassburger Beiträge*, i. 116.

¹⁰ Compare the Papal instructions to the legates, Innocent III. lib. xi. epist. 232: *Licet nobis jamdum Comes Tolosanus per suos nuncios supplicaverit, ut super comitatu Melgorensi, qui b. Petri juris et proprietatis existit, fidelitatem ab eo recipere dignaremur,—preces suas non duximus admittendas, etc.*—*Quia vero a nobis est sollicite requisitum, qualiter procedendum sit circa comitatum eundem fideli exercitui signatorum, id vobis*

June, 1209) the count submitted to the most humiliating conditions, which Milo, the Papal legate, prescribed to him, and even took the cross himself from his hands,¹¹ he only effected the delay of the blow destined for himself, that it might strike with so much the greater certainty.

The crusading army assembled against the Albigenses,¹² with the frantic Arnold as Papal legate at its head, first marched upon the domain of Raymund Roger, viscount of Beziers (1209). After the fall of Beziers¹³ and Carcassone,¹⁴ the devastated land was plundered. But among the crusaders of noble rank only Simon de Montfort was willing to receive the spoil from the legate. Next they turned against Raymund of Toulouse, who had been spared till now. Extravagant demands,¹⁵ which he could

providimus suadendum; quatenus ad Apostoli dicentis, Cum essem astutus, dolo vos cepi (2 Cor. xii. 16), magisterium recurrentes,—divisos ab Ecclesia unitate divisim capere studeatis. Dummodo videritis, quod ex hoc idem Comes vel alii minus assistere, vel per se ipsum minus debeat insanire; non statim incipiatis ab ipso, sed eo primitus arte prudentis dissimulationis eluso, ad extirpandos alios haereticos transeat, ne si squamis Leviathan sese conjungentibus una vi fueritis simul omnes aggressi, tanto demum hujusmodi satellites Antichristi difficilis possint conteri. — Sic enim et illi facilius sterni poterunt, remissius adjuti per istum; ac iste illorum interim visa strage ad eorū fortasse redibit, vel si perseveraverit in malitia, tandem contra ipsum et solum et destitutum levius procedatur.

¹¹ Petrus Vall. Cern. c. 9–13. Processus negotii Raymundi Comitis Tolos. after Innocent III. lib. xii. ep. 85 (ed. Baluzii, ii. 346). Comp. epist. 90, a letter of Papal good wishes to Raymund.

¹² The entire territory of the Viscount of Albi, Beziers, Carcassone, and Rasez was called Albigeois, Albigesum, in the wider sense of the word. So Albigenses from this time forth became a heretical name, at first for all the enemies of the crusading army, afterward for the Cathari. Hist. de Languedoc, iii. 553.

¹³ Then it happened, as Caesarius Heisterbac. lib. v. c. 21, relates, that Arnold, when asked by the crusaders: *Quid facimus, domine?* Non possumus discernere inter bonos viros et malos (Catholics and heretics): answered: *Caedite eos; novit enim Dominus, qui sunt ejus.* This terrible man, in his letter announcing their victory to the Pope (inter epist. Innoc. III. lib. xii. ep. 108), relates himself with triumph: nostri non parentes ordini, sexui, vel aetati, fere viginti millia hominum in ore gladii peremerunt; factaque hostium strage per maxima, spoliata est tota civitas et succensa, ultione divina in eam mirabiliter saeviente.

¹⁴ On the faithless manner of the conquest, and imprisonment of the viscount, see Hist. de Languedoc. iii. 173.

¹⁵ Although in 1210 Raymond had gone in person to Rome, and had met with a friendly reception, and a recognition of his right from the Pope, see Hurter's Innocenz III. ii. 354. Compare especially the Letter of the inhabitants of Toulouse to Peter, king of Aragon, in the year of 1211 (Preuves de l'hist. de Lang. iii. 232): Dom. Abbas Cisterciensis nuncios suos cum literis ad nos direxit, praecipiens, ut omnes illos, quos sui nuncii credentes haereticorum nominarent, cum omnibus eorum rebus, Baronibus exercitus tradere non differremus, ut ipsi ad cognitionem Baronum—se purgarent: quod nisi faceremus, nos et nostros consiliarios excommunicabat, et villam nostram interdicebat. Illi vero, quos credentes haereticorum nominaverunt, a nobis inquisiti, se non esse haereticos vel credentes haereticorum constanter responderunt, et sese stare juri in continentis judicio Ecclesie

not satisfy, formed the pretext for excommunicating and attacking him (1211).¹⁶ The Pope himself was no longer able to check his own instruments:¹⁷ the crusade was preached with fresh

siae promiserunt. Nos vero illos haereticos vel credentes haereticorum esse ignoravimus.—Nos autem literis et nunciis respondentes, diximus, quod omnes illos, quos nobis nominabant, et si quos alias nominare vellent, faciemus stare juri in episcopali sede civitatis nostrae :—et si hoc recipere recusabat, scientes nos ab ipso praegravari, nos et accusatos viros sub protectione dom. Papae posuimus, et sedem apostolicam appellavimus :—et licet hujusmodi responsio a nobis protenderetur, nihilominus nos et nostros consiliarios de facto excommunicavit, et villam nostram interdixit. How the ill-fated Raymund eagerly offered every kind of submission, and was continually rejected, see Hist. de Languedoc. iii. 175. The most wanton insult was coupled with the injury, in the conditions which were laid before him by the legate in the Council of Arles, ann. 1211. According to the Hist. de la croisade en vers provençaux, p. 99, the chief conditions were (in Fauvrié's French translation) : Que le comte rende aux clercs leurs droits (et l'assurance) d'obtenir (de lui) toute chose qu'ils lui demanderont ; qu'il chasse de ses états tous les perfides Juifs ; et (quant) aux partisans de l'hérésie, qu'ils lui désigneront, qu'ils les leur rende tous, avant l'année révolue, pour en faire à leur volonté et à leur plaisir. Qu'ils ne mangeront pas de plus de deux viandes (à leurs repas), et ne se vêtiront désormais plus de riches draps, mais de grossières capes brunes qui leur dureront davantage ; qu'ils abattront tous les châteaux et toutes les forteresses. Les chevaliers ne sejourneront plus en maison (dans les villes), mais dehors, dans les campagnes, comme paysans ;—qu'ils payentront quatre deniers toulousains par an aux paciers qui seront établis (par l'Eglise) dans le pays ;—que si le comte de Montfort et les Croisés qui viendront chevauchant contre eux, comme contre tant d'autres, leur enlèvent quelque chose du leur, ils ne s'y opposent pas ; qu'ils s'en remettent sur tout à la décision du roi de France : que le comte Raymond s'en aille outre mer, là-bas au fleuve du Jourdain, et qu'il y reste aussi longtemps que le veudront les moines, les cardinaux de Rome, ou ceux qu'ils désigneront ; qu'après cela, le comte entre dans un ordre, dans celui du Temple ou de Saint-Jean. Quand il aura fait tout cela, ses châteaux lui seront rendus ; et s'il ne le fait pas, il sera privé de tout pouvoir, tellement qu'il ne lui restera rien. The remodeling of this history in prose in the Provençal language (Hist. gén. de Languedoc. T. iii. Preuves, p. 30) gives these conditions somewhat differently, and from this work, Mansi xxii. 815 has translated them into Latin, but he is not always accurate.

¹⁶ The abbot Arnold won his way so early as 1212 to the archiepiscopal see of Narbonne, and at the same time took possession of the dukedom of Narbonne (Histoire de Languedoc, c. 223).

¹⁷ Innocent. III. lib. xv. Ep. 102, ad Raimundum Uticensem Episc. et Narbonensem electum (namely Arnold) Legatos in the year 1112 : Raimundus Tolosanus Comes—quia nondum est damnatus de haeresi vel de nece sanctae memoriae Petri de Castronovo, etsi de illis sit valde suspectus,—non intelligimus, qua ratione possemus adhuc alii concedere terram ejus.—Accordingly, cum nondum sit locus illi petitioni, quam de terra ejus alii concedenda fecistis, he had empowered, Regensem Episc. and Thedisium Canonicum Januensem, to make a closer investigation. Further on, the charge : sollicite provideatis, ne in nostri executione mandati sitis tepidi et remissi, sicut hactenus dicimini extitisse. How little this charge availed, see lib. xv. ep. 212, ad Archiep. Narbon. Episc. Regensem et Thedisium Canonicum in the year 1213, after Peter, king of Aragon, had interested himself in behalf of Raymund. Tu, frater Archiepiscopi, ac nobilis vir Simon de Monteforti, Crucesignatos in terram Tolosani Comitis inducentes, non solum loca, in quibus habitabant haereticci, occupastis, sed ad illas nihilominus terras, quae super haeresi nulla notabantur infamia, manus avidas extendistis : et cum ab hominibus terrarum illarum fidelitatis exegeritis juramenta, et terras sustineatis habitare praedictas, haereticos illos existere verisimile non videtur. Raymund had complained to the king, quod satisfactionem

rage;¹⁸ the territory of the count was conquered by Simon de Montfort,¹⁹ and formally adjudged to him by a council at Montpellier in 1215²⁰ for his own possession. Innocent III. did not only confirm this grant at the great Lateran Council in this same year,²¹ but also held up the principles of procedure thus far adopt-

cjus non admittebat Ecclesia, cum paratus existeret facere, quaecunque sibi possibilia mandaremus. Peter had requested on this account, Tolosanum comitatum filio memorati Cemitis reservari, qui nec unquam venit, nec veniet Deo dante in haereticae pestis errorem. Until he came of age the king was ready to undertake to be his guardian. The old count had declared himself willing to submit to any kind of penance, sive quod partes adeat transmarinas, sive quod sit in Hispania—contra gentis perfidiam Sarracenae. The Pope gave orders that an assembly of prelates and barons should be summoned to consult on these proposals. In the mean while, the Conc. Vaurense, ann. 1213 (see Petrus Vall. Cern. c. 66; in Mansi xxii. 863), was under the control of the legates; Innocent was also afterward gained over; and Peter at last received from him an answer in the negative (Innoc. lib. xvi. ep. 48).

¹⁸ Arnold, archbishop of Narbonne, required Gervasius, abbot of Prémontré, to preach the crusade, and authorized him (Gervasii Praemonstrat. ep. 42, in Hugo sacrae antiquitatis monumenta, Stivagii, 1725. fol. p. 43), injectoribus manuum in ecclesiasticas seu religiosas personas,—ne non incendiariis absolutionis beneficium secundum formam Ecclesiae impertiri, ut sic eos in succursum praedicti négotii transmittatis. Thus is to be explained that which was made a ground of complaint to the Pope (Innocent III. lib. xvi. ep. 17), quod zelus fidelium in haereticae pravitatis labore notatos esset in partibus illis tunc temporis sic accensus, ut incendio traderent non solum manifestos haereticos, sed etiam quoslibet de hujusmodi pravitate suspectos.

¹⁹ Ecclesiastical deception was constantly helping to this end. Thus Petrus Vall. Cernaji, c. 78, shows how much the result of the year 1214 was owing to the co-operation of the craft of the legate and the might of the crusading army: *Egit ergo misericorditer divina dispositio, ut dum Legatus hostes fidei, qui Narbonae erant congregati, alliceret et compesceret fraude pia, Comes Montisfortis et peregrini, qui venerant a Francia, possent transire ad partes Caturcenses et Aginnenses, et suos, imo Christi, impugnare inimicos. O Legati fraus pia! o pietas fraudulentia!* Compare Hurter, ii. 589.

²⁰ Petrus Vall. Cern. c. 81, in Mansi xxii. 935. Thus Simon wrested the dukedom of Narbonne from his former comrade, the Archbishop Arnold, without being deterred by his ban and interdict. Hist. gén. de Languedoc, iii. 281.

²¹ The Poetical History of the Crusade, ed. Fauriel, p. 266, relates expressly the previous transactions, in which several prelates, and particularly the Pope, showed themselves inclined to give back his land to Count Raymund. But the greater number extorted the following decree. Concilii Later. sententia de terra Albigeni (in d'Achery spicileg. i. 707, in Mansi xxii. 1069): *Quantum Ecclesia laboravit per Praedicatores et Crucesignatos ad exterminandum haereticos et ruptarios de provincia Narbonensi, et partibus sibi vicinis, totus paene orbis agnoscit.—Quia vero novella plantatio adhuc indiget irrigari, sacro consulta concilio ita duximus providendum: ut Raymundus Tolosanus comes, qui culpabilis repertus est in utroque, nec unquam sub ejus reginante terra possit in fidei statu servari, sicut a longo tempore certis indicis est compertum, ab ejus dominio, quod utique grave gessit, perpetuo sit exclusus, extra terram in loco idoneo moraturus, ut dignam agat poenitentiam de peccatis.* Verumtamen de proventibus terrae pro sustentatione sua quadrangentes marcas percipiat annuatim, quamdiu curaverit humiliter obedire. *Uxor vero ipsius Comitis, soror quondam Regis Arragonum,—terrás ad suum dotalitium pertinentes integre habeat et quiete.—Tota vero terra, quam obtinuerunt Crucesignati,—dimitatur et concedatur—Comiti Montisfortis, viro strenuo et catholico, qui plus caeteris in hoc negotio laboravit, ut eam teneat ab ipsis, a quibus de jure tenanda est. Residua autem terra, quae non fuit a Crucesignatis obtenta, custodiatar ad mandatum Ecclesiae per viros*

ed against these countries as a precedent in similar cases.²² Then at length Raymund sought for help in the attachment of his former subjects; and after Simon's death († 1218) he made a considerable advance in the reconquest of his country, although the Pope, without ceasing, used every means of resistance. When, after the death of Raymund VI. († 1222), Raymund VII. regained his whole ancestral heritage, and had even forced his enemy Amalaric, son of Simon, to a complete surrender;²³ then Honorius III.,

idoneos, qui negotium pacis et fidei manuteneant et defendant; ut provideri possit unico adolescenti filio praefati Comitis Tolosae, postquam ad legitimam aetatem pervenerit, si talem se studuerit exhibere, quod in toto vel in parte ipsi merito debeat provideri, prout magis videbitur expedire. Cf. Hist. gén. de Languedoc, iii. 277. According to the Poetical History of the Crusade, the Pope said to him at leave-taking (in Fauriel's translation, p. 257, on the historic truth of the tale, see Fauriel's introduction, p. xc.): Comte, tu ne dois point perdre courage. Je connais, je sais bien ce que j'ai à faire; et si tu me laisses un peu respirer ou réfléchir, je te rendrai ton droit et corrigerai mon tort.—Quant à ces félons qui me blâment (the prelates who had forced him to the sentence), je te dis, qu'avant peu tu m'en verras vengé.—Mais laisse-moi ton fils: je veux délibérer (sur lui): de maintes manières je puis lui faire un héritage. Hurter, ii. 657.

²² Conc. Lateran. IV. can. 3. (Decr. Greg. lib. v. tit. 7, c. 13): Excommunicamus et anathematizamus omnem haeresim, etc.—§ 1. Damnati vero saecularibus potestatibus praesentibus, aut eorum bailivis relinquuntur, animadversione debita puniendi: ita quod bona hujusmodi damnatorum—confiscentur. § 2. Qui autem inventi fuerint sola suspicione notabiles, nisi—propriam innocentiam congrua purgatione monstraverint, anathematis gladio feriantur, et usque ad satisfactionem condignam ab omnibus evitentur; ita quod si per annum in excommunicatione persisterint, extunc velut haereticici condemnentur. § 3. Moneantur autem et inducantur, et si necesse fuerit, per censuram ecclesiasticam compellantur saeculares potestates,—ut—pro defensione fidei praestent publice juramentum, quod de terris suac jurisdictioni subjectis universos haereticos—exterminare studebunt: ita quod amodo, quandocumque quis fuerit in potestatem sive perpetuam sive temporalem assupitus, hoc teneatur capitulo juramento firmare. Si vero dominus temporalis requisitus et monitus ab Ecclesia, terram suam purgare neglexerit ab hac haeretica foeditate, per Metropolitanum et caeteros comprovinciales Episcopos excommunicationis vinculo innodetur. Et, si satisfacere contempserit infra annum, significetur hoc summo Pontifici: ut extunc ipse vassallos ab ejus fidelitate denunciet absolutos, et terram exponat Catholicis occupandam, qui eam exterminatis haereticis sine ulla contradictione possideant, et in fidei puritate conservent: salvo jure domini principalis, dummodo super hoc ipse nullum praestet obstaculum, nec aliquod impedimentum opponat: eadem nihilominus lege servata circa eos, qui non habent dominos principales. § 4. Catholici vero, qui crucis assumpto charactere ad haereticorum exterminium se accinxerint, illa gaudent indulgentia, illoque sancto privilegio sint muniti, quod accedentibus in terrae sanctae subsidium conceditur. § 5. Credentes praeterea, receptatores, defensores et fautores haereticorum excommunicationi dcernimus subjacere: firmiter statuentes, ut postquam quis talium fuerit excommunicatione notatus, si satisfacere contempserit infra annum, extunc ipso jure sit factus infamis, nec ad publica officia seu consilia, nec ad eligendos aliquos ad hujusmodi, nec ad testimoniun admittatur. Sit etiam intestabilis, ut nec testandi liberam habeat facultatem, nec ad haereditatis successionem accedat. Nullus praeterea ipsi super quocunque negotio, sed ipse aliis respondere cogatur, etc. Si qui autem tales, postquam ab Ecclesia denotati fuerint, evitare contempserint: excommunicationis sententia usque ad satisfactionem idoneam percellantur, etc.

²³ Schlosser, III. ii. i. 222.

elsewhere so mild, still thought it due to the Papal honor to hate the father in the wholly guiltless son. He stirred up Lewis VIII., king of France, to conquer Toulouse for himself in a new crusade.²⁴ Hostilities began on the 6th of June, 1226, but they were greatly crippled by the death of Lewis VIII. on the 18th November of the same year: at length Raymund obtained peace on the hardest conditions, by which a part of his domain passed at once into the power of France, and the annexation of the rest to this kingdom was provided for.²⁵

The wretchedness of this country was completed by the horrors of the Inquisition, which now rose up.²⁶ In order to perpetuate the work of blood, begun by the Papal legates, in a permanent institution, the fourth Lateran Council (in 1215) made it the chief business of the Episcopal Synodal tribunals to search out and punish heretics;²⁷ and the Council of Toulouse (1229) achieved

²⁴ Matth. Paris ann. 1226, p. 331: *Multitudo maxima praelatorum et laicorum crucis signaculum suscepserunt: plus metu Regis Francorum, vel favore Legati, quam zelo justitiae inducti.* Videbatur enim multis abusio, ut hominem fidem Christianum (*Comitem Tolosanum*) infestarent: praecipue cum constaret cunctis, eum in concilio, nuper apud civitatem Bituricam habito, multis precibus persuasisse Legato, ut veniret ad singulas terrae suae civitates, inquirens a singulis articulos fidei: et si quempiam contra fidem inventaret sentientem catholicam, ipse secundum judicium s. Ecclesiae justitiae ex eis plenitudinem exhiberet.—Pro se autem obtulit, si in aliquo deliquit, quod se fecisse non recoluit, plenam Deo et s. Ecclesiae satisfactionem, ut fidelis Christianus: et si Legatus vellet, etiam fidei examen subire. Haec quoque omnia Legatus contempsit; nec potuit Comes catholicus gratiam invenire, nisi pro se et haeredibus suis haereditatem suam de serens abjuraret.

²⁵ Hist. de Languedoc. iii. 370. Preuves, p. 329. Together with the rest of the allies of the Count of Toulouse, now also the valiant Roger Bernard, count of Foix, was forced to yield (l. c. p. 379 ss.). Compare his remarkable declaration before the Papal legate in J. P. Perrin histoire des Chrestiens Albigeois (Genève, 1618), p. 140, taken from an old life of Count Roger Bernard by Holagarai: *Certes je vous dirai que je n'ai jamais désiré que de maintenir ma liberté: car je suis dans la maillo de franchise.—Pour le Pape, je ne l'a point offensé: car il ne m'a rien demandé comme Prince que je ne lui aye obéi. Il ne se doit mesler de ma religion, veu qu'un chacun la doit avoir libre. Mon père m'a recommandé tousjours cette liberté, afin qu'êtant en cette posture, quand le ciel crouleroit, je le puisse regarder d'un oeil ferme et assuré, estimant qu'il ne me pourroit faire du mal, etc.*

²⁶ Works upon this subject in general: Nicolai Eymerici (General-Inquisitor in Aragon † 1399) directorium Inquisitorum ed. cum comm. Francisci Pegnae, Romae 1578, ed. 2. 1585. fol. and often besides. Ludovici de Paramo de origine, de officio et de progressu s. Inquisitionis libb. iii. Madrit. 1598, and Antwerp 1619. fol. Phil. a Limborch historia Inquisitionis, Amst. 1692. fol. J. Ant. Llorente hist. critique de l'inquisition d'Espagne, Paris, 1817, 4 Tomes. Compare F. A. Biener's Beiträge zu der Gesch. des Inquisitions-Proceses. Leipzig, 1827, s. 60 ff. [J. A. Llorente, Hist. of Inquis. of Spain. Lond. Limborch, Hist. Inquis. transl. by Chandler, 2, 4. Lond. 1731. Hefele's Ximenes, 1844. Dublin Review, No. 56, 1850; No. 60, 1851. Rev. W. H. Rule, The Brand of Dominick, New York, 1852. Albert du Boys, in l'Université Cathol. Paris, 1854.]

²⁷ Conc. Lateran. IV. c. 3, § 7. (This is taken word for word from the decree of Pope

the organization of this Episcopal Inquisition.²⁸ However, soon after it was, in fact, almost annihilated; for in 1232 and 1233 Gregory IX. appointed the Dominicans to be the standing Papal Inquisitors,²⁹ and forthwith they began their hideous work in the countries tainted with heresy. In order that the Church may not seem to soil herself with blood, the secular princes must serve the office of executioner. Lewis IX. in 1228,³⁰ Frederick II. in 1232,³¹ the ill-fated Raymund VII. in 1233,³² each passed the requisite laws. That the new Inquisition might strike more of the guilty, a way of proceeding was prescribed for it, to which of necessity many of the guiltless must fall victims.³³ Thus armed,

Lucius III. in the year 1184, mentioned above, § 88, note 6, which, however, does not seem to have been carried into execution at that time): *Adjicimus insuper, ut quilibet Archiepiscopus vel Episcopus per se, aut per Archidiaconum suum, vel idoneas personas honestas, bis aut saltem semel in anno propriam parochiam, in qua fama fuerit haereticos habitare, circumeat: et ibi tres vel plures boni testimonii viros, vel etiam, si expedire videbitur, totam viciniam, jurare compellat: quod si quis ibidem haereticos sciverit, vel aliquos occulta conventicula celebrantes, seu a communis conversatione fidelium vita et moribus dissidentes, eos Episcopo studeat indicare. Ipse autem Episcopus ad praesentiam suam convoctus accusatos: qui nisi se ab objecto reatu purgaverint, vel si post purgationem exhibitam in pristinam fuerint relapsi perfidiam, canonice puniantur. Si qui vero ex eis juramentum religionem obstinatione damnabili respuentes, jurare forte noluerint; ex hoc ipso tanquam haeretici reputentur.* § 8.—*Si quis Episcopus super expurgando de sua dioecesi haereticae pravitatis fermento negligens fuerit vel remissus:—ab episcopali officio deponatur.*

²⁸ The 45 Capitula Conc. Tolosani are in Mansi xxiii. 192. Planck's *Gesch. d. kirchl. Gesellschaftsverf.* IV. ii. 463.

²⁹ In 1232, in Germany, Aragon, and Austria, Bullarium Ord. Praedicat. i. 37. Then in 1233 ad Priorem Fratrum Ord. Praedicatorum in Lombardia in Mansi xxiii. 74. In this year, also, the legate bishop of Tournay appointed Dominicans to be inquisitors in the towns of Albigeois and Toulouse, *Guil de Podio Laur.* c. 43.

³⁰ In the *Ordonnance Cupientes*, see *Ordonnances des Roys de France de la 3ième race* par M. de Laurière, i. 50.

³¹ See Pertz monum. hist. Germ. iv. 287, repeated more than once for the last time in three laws dd. Paduae 22. Febr. 1239 in *Petri de Vineis lib. i. ep. 25–27.* Pertz, iv. 326.

³² *Statuta Raymundi* in Mansi xxiii. 265.

³³ 1. The witnesses were concealed from the accused. *Conc. Narbonense*, ann. 1235, c. 22 (according to Pegna comm. ad *Eymericum*, no. 124, so early as *Conc. Biterrense*, 1233, c. 10): *Illud autem caveatis secundum providam sedis apostolicae voluntatem, ne testium nomina verbo vel signo aliquo publicentur.* This order was afterward repeated by many Popes: thus by Innocent IV. in the Bull *Cum negotium* 1254 (*Bullar. magn.* in *Innoc. IV. no. 15*): *volumus ut nomina tam accusantium pravitatem haereticam, quam testificantium super ea, nullatenus publicentur, propter scandalum, vel periculum, quod ex publicatione hujusmodi sequi posset.*—2. Criminals also were admitted as witnesses, *Conc. Narbon.* ann. 1235, c. 24: *in hujusmodi criminis propter ipsius enormitatem omnes criminosi et infames, et criminis etiam participes ad accusationem vel testimonium admittantur.*—3. Besides, conviction might be effected by such witnesses. *Conc. Narbon.* can. 26: *Si quis tamen culpam suam, ex qua possit credens vel haereticus judicari, de qua plene per testes seu aliam probationem constat, pertinaciter negare non metuit,—haereticus absque dubio est censendus.*—4. Confession was extorted by torture: first Innocent

this monster raged with most frightful fury in southern France,³¹

IV., in the Bull Ad extirpanda, 1252 (Bullar. magn. in Innoc. IV. no. 9), § 25 : Teneatur praetera Potestas seu Rector omnes haereticos, quos capitos habuerit, cogere citra membra diminutionem et mortis periculum—errores suos expresse fateri, et accusare alios haereticos quos sciunt, et bona eorum, et credentes, et receptatores, et defensores eorum, sicut coguntur fures et latrones rerum temporalium accusare suos complices, et fateri malitia, quae fecerunt. However, the Inquisitors soon began to withhold the torture on their own authority, that the depositions might remain secret, especially after that Urban IV. 1261 (Bullar. magn. in Urban IV. no. 8), had allowed them, ut, si vos et Fratres vestri Ordinis, socios vestros, excommunicationis sententiam et irregularitatem incurre—contingat,—mutuo vos super his absolvere—et vobiscum auctoritate nostra dispensare possitis. Clement V. in Conc. Viennensi, ann. 1311 (Clementin. V. tit. 3, c. 1, § 1), presupposes this power, and limits it : Duro tradere carceri, sive arcto, qui magis ad poenam, quam ad custodiam videatur, vel tormentis exponere illos, aut ad sententiam procedere contra eos, Episcopus sine inquisitore, aut inquisitor sine Episcopo dioecesano—non valebit.—Comp. particularly the Doctrina de modo procedendi contra haereticos in Martene Thesaur. anecdot. v. 1795, which belongs to this period, and the instructions in the Tractatus de heresi Pauperum de Lugduno, ibid. p. 1786 ss. Biener's Beitr. zu d. Gesch. d. Inquisitionsprocesses. S. 72 ff.

³² The manner in which the Inquisition began in Narbonne is represented in a letter from the Consules of Narbonne to the Consules in Nismes, in the year 1234 (in the Histoire de la ville de Nismes par M. Ménard. T. i. Paris, 1750. 4. Preuves, p. 73 ss.): Archiepiscopus et quidam de Fratribus Praedicatorum—ad inquisitionis, immo potius concussionis, officium tam injuste tamque enormiter processerant, ut juris ordine non servato, et omissa juris observantia tam canonica quam civili, ad captionem hominum et occupationem rerum et distributionem, licet nulla de ipsis suspicio haberetur, nec contra eos laboraret infamia, procedebant, et quosdam ex ipsis spoliatos rebus propriis dimitebant, et alii in carcerali custodia necabantur, nulla cognitione habita, et nulla sententia super eorum fide per ipsos vel alios promulgata, rebus ipsorum omnibus penitus confiscatis.—Item ut homines simplices et illiteratos caperent in sermone, eis quaestiones hujusmodi faciebant, dicentes : *credis quod, quando mulier concipit, quod illa missio fiat per Deum, vel per hominem?* Et si laicus responderet, quod per hominem illam credebat fieri missiōnem ; ergo, dicebant ipsi, *tu es haereticus : nam haeretici dicunt, quod malignus spiritus et homo faciunt hominem, et non Deus.* Et si illam simplex laicus timens responsione mutaret, dicens, quod per Deum siebat dicta missio : *ergo tu dicas quod Deus cognoscit mulierem, et ita es haereticus manifestus.* Item interrogabant eundem, si facta missione, praedicta anima infundebatur in continenti, an postea per multos dies ipsius infusio tardabatur ? Item si anima infusa in illo grano, sicut infans crescit, crescebat ? Item si omnes animae factae fuerunt simul et uno momento, et ubi ? Item si hostia, quam consecrat sacerdos, erat totus Deus, vel pars ejus ? Et tunc si laicus, quod totus Deus est, responderet, dicebant : *responde ergo mihi, credis, quod, si quatuor sunt in Ecclesia sacerdotes, et quilibet consecret hostiam suam, sicut decet, quod in qualibet hostia sit totus Deus?* Et laicus responderet, quod sic : *ergo tu credis, quod quatuor sunt Dii.* Et tunc laicus tremens aliquando contrarium respondebat. Thence arose tumults among the people in Narbonne in 1234 (Hist. de Langued. iii. 402), in Albi (Narratio de illatis Arnolfo Inquisitori apud Albensem civitatem injuriis, in Martene Thesaur. i. 985) : thence also the banishment of the Inquisitors from Toulouse in 1235 (Hist. de Lang. iii. 404), and Narbonne (iii. 406). Four Inquisitors of Toulouse were put to death in 1242 (iii. 430 s.). The Liber sententiarum Inquisitionis Tolosanae, a collection of sentences passed from 1307 to 1323 (published with Limborch hist. Inquisitionis), gives some notion of the fearful activity of the Inquisition. Similar collections, even from an earlier date, are yet extant in manuscript, see Percin monumenta conventus Tolosani Ord. Fr. Praedicatorum, 2 T. Tolosae, 1693. fol. Füssli's Kirchen- und Ketzerhistorie der mittlern Zeit, i. 417, the Mémoires sur l'inquisition de Toulouse par l'Abbé Magi et le P. Sermet in the Histoire et mémoires de l'Académie roy. de Toulouse, t. iv. (1790. 4.), p. 14 and 44. Schmidt in the Strassburger Beiträge zu den

where the heretics had only learned, from former events, to keep themselves more secret. Germany for a short space of time (1231–1233) was taught to know the Inquisition in its most senseless rage, in Conrad of Marburg,³⁵ and in the Dominican monk Conrad

theol. Wissenschaften, i. 136. Philip the Fair, in 1291, charged his Seneschal to use prudence in the arrests required by the Inquisitors (*Hist. de Langued. t. iv. Preuves. p. 98*), certiorati,—quod Inquisitores Carcassonae male processerunt,—quod innocentes puniant, incarceren, —et per quaedam tormenta de novo exquisita multas falsitates de personis legitimis vivis et mortuis fide dignis extorqueant. Compare his decree concerning the Inquisitor Fulco at Toulouse (*ibid. p. 118*): a captionibus, quaestionibus et inexcogitatis tormentis incipiens, personas, quas pro libito asserit haeretica labe notatas, abnegasse Christum, etc.—vi vel metu tormentorum fateri compellit, et—testes fallaciter subornatos inducit ad perhibendum testimonium falsitati. Bernard, a Franciscan, in 1319, said publicly at Toulouse, quod beati Petrus et Paulus ab haeresi defendere se non possent, si viverent, dum tamen inquireretur cum eis per modum ab Inquisitoribus observatum; he was, however, for this condemned by the Inquisition to imprisonment for life, see *Liber sententiariarum Inquis. Tolos. p. 269.*

³⁵ Concerning him *Gesta Trevirorum ed. Wytenbach et Müller, i. 317*, and *Alberici chronicon, ad ann. 1233, p. 544 ss.* Comp. especially *Sifridi Archiep. Maguntini et F. Bernardi de Ord. Praedicatorum ep. ad Papam in Albericus, l. c.* Magister Conrardus contra Pauperum Lugdunensis astutias zelo fidei armatus, nefandam haeresim Manichaeorum filiam olim absconditam ita putavit ex toto deprehendere, si testes, qui se confitebant aliquantulum criminis eorum conscientes et participes, in illorum absentia recipieren, et dictis eorum simpliciter crederetur, ita ut semel accusato talis daretur optio, aut sponte confiteri et vivere, aut innocentiam jurare et statim comburi. Et ecce falsos testes, ab haereticis, ut credimus, subornatos, adduxit inimicus. Quaedam femina vaga Alaidis—fixit se haereticam,—innuens a latere, quod—haereticos absconditos et fautores eorum manifestaret. Haec missa est a Mag. Conrado, qui nimis ei credidit: et ipsa primo apud Clavelt villam, de qua oriunda fuit, cognatos et notos et affines, qui eam exhaeredare videbantur, fecit comburi: subornato etiam quodam Amfrido, quem modo fecimus in vinculis detineri, qui confessus est, quod multos innocentes, alios ad ignem, alios ad tonsuram per testimonium suum coegerit, Mag. Conrado judicium fulminante. Et horum accusatio paulatim coepit ascendere a rusticis ad burgenses honorabiles et eorum uxores, inde ad Castellanos et nobiles, et in fine ad Comites prope et longe positos. Et Magister nulli quantumvis altae personae locum dedit legitimae defensionis, nec etiam confiteri proprio sacerdoti: sed accusatum oportuit confiteri se haereticum esse, buffonenem tactum, pallidum virum et hujusmodi monstra dissidentiae pacis in osculo salutasse. taliter quidam Catholici abjudicati maluerunt innoenter cremari et salvari, quam mentiri de crimen turpissimo, cuius non erant conscientii, et supplicium promereri, quibus ipse Magister martyrium promittebat: alii infirmi potius elegerunt mentiri, quam comburi. Quibus tamen oportuit scolas nominare, et respondebant: *nescio quem accusem, dicite mihi nomina, de quibus suspicionem habetis*: cumque proponeretur de Comite Seinensi, de Comite Aneberg, de Comitissa de Loz, respondebat evadere volens: *illi ita rei sunt ut ego, etc.*—Ego Archiepiscopus Mag. Conrardum primo solus, postea cum duobus Archiepiscopis Coloniensi et Trevirensi, monui, ut moderatius et discretius in tanto negotio se gereret. Qui non acquievit, sed tandem contra nostram monitionem crucem publice praedicavit Maguntiae: quo viso quidam [ex illis] interfecerunt eum prope Marburg.—Deinde examinavimus Comitem Seinensem et alios, de quibus habita est quaestio, et restituimus eos famae et possessionibus;—de innoenter mortuis quaeritur consilium Papae. The Pope, according to the Ann. Wormat. in Bohmer, ii. 177, protested against what had been done, and declared Conrad's decisions void. He said: *Ecce Alemanni semper erant furiosi, et ideo nunc habebant judices furiosos.* Compare Justi's *Elisabeth die Heilige* (2te Aufl. Marburg, 1835), s. 145.

Dorso,³⁶ who came to Strasburg; and at the same time acquired the most fearful experience of the abuses of the new laws against heretics in the crusade on the Stedinger, the lovers of freedom, in 1234.³⁷ But by these events so universal a resistance against

³⁶ Concerning him, see the Ann. Wormat. in Bohmer's *fontes rerum Germ.* ii. 175, and in the manuscript collections of Daniel Specklin († 1589), public master builder at Strassburg, where he is called Drosø or Torsø, Schmidt in Illgen's *Zeitschr. f. Kirchengesch.* 1840, iii. 55. In the *Gesta Trevir.* i. 317, he is called Conradus cognomento Tors, and is distinguished as Minister Conradi de Marburch. But according to the Ann. Wormat. he was the first to instigate Conrad of Marburg. He also was murdered soon after the death of this last.

³⁷ Jo. Dan. *Ritteri diss. de pago Steding et Stedingis saec. xii. haereticis.* Viteberg, 1751. 4. (also in J. P. Berg museum Duisburgense, i. ii. 529). Schlosser's *Weltgeschichte,* iii. ii. ii. 127. C. Aem. Scharling de Stedingis comm. Hafniae, 1828. Muhle's *Geschichte d. Stedingerlandes im Mittelalter,* in Strackerjan's *Beitrag zur Geschichte d. Grossherzogth.* Oldenburg, Bd. 1 (Bremen, 1837), s. 299. The contemporary, Godefridus Mon. s. Pantaleonis, ad ann. 1234, gives a short and correct account of the matter (in Freherus-Struve, i. 399): *Verbum crucis praedicatur contra Stagingos per inferiores partes Teutoniae et Flandriae. Collecto itaque universo exercitu Crucesignatorum in crastino Ascensionis iidem Stagingi superantur, et a terra sua funditus extirpantur. Fuerunt autem Stagingi populi in confinio Frisiae et Saxoniae siti (in the modern Oldenburg) paludibus invisi et fluminibus circumcinti, qui pro suis excessibus et subtractionibus decimarum multis annis excommunicati, contemptores clavum Ecclesiae sunt inventi. Qui cum essent viri strenui, vicinos populos, immo et Comites et Episcopos bello pluries sunt aggressi, saepe victores, raro victi. Ob quam causam auctoritate papali verbum crucis contra eos fuit per multas dioeceses praedicatum. Another contemporary, Emo, abbot in Werum, in Friesland, writes in his *Chronicon* (Ant. Matthaei veteris aevi analecta, ii. 97): ut multis innouit, inter caetera reprehensibilia principalior causa fuit inobedientia, quae scelere idolatriæ non est inferior, dicente Salomone (rather 1 Sam. xv. 23): *Nolle obedire scelus est idolatriæ.* Illi namque, licet gens modica fuit secus ripam Wiserae fluvii, propter violentias, quas milites et servientes intrantes ad eos irrogabant, omnes hujusmodi ejecerunt et se defenderunt, et interim redditus Episcopi et Ecclesiarum non reddiderunt, propter quod sacramentis ecclesiasticis et sacerdotum ministerio privati sunt. For this reason, so early as 1232, Gregory IX., undoubtedly at the instigation of Gerhard, archbishop of Bremen, issued the order to preach a crusade against them (Raynald, ann. 1232, no. 8). When, however, this produced no real effect, Conrad of Marburg interfered in the cause (l. c. ann. 1233, no. 41), and told the credulous Pontiff (comp. above, § 55, note 24) that the Stedinger were guilty of the same heresies which he fastened on all his victims. Now Gregory IX. issued a more serious summons to a crusade against these evils. Ep. ad Archiep. Magunt. Episc. Hildesem. et Conradum (in Raynald, ann. 1233, no. 42, given entire in Thom. Ripoll *Bullarium Ord. Praedicat.* i. 52), and ad Henricum Friderici Imp. filium (in Martene *Thesaur.* i. 950. Mansi xxiii. 323). In both epistles there is the following account of the Stedinger heresy: *Hujus pestis initia talia perferuntur. Nam dum novitus in ea quisquam recipitur, et perditorum primitus scholas intrat, appetet ei species quaedam ranae, quam bufonem consueverunt aliqui nominare: hanc quidam a posterioribus, et quidam in ore damnabiliter osculantes, linguam bestiae intra ora sua recipiunt, et salivam. Haec appetit interdum in debita quantitate, et quandoque in modum anseris vel anatis, plerumque furni (*sturni?*) etiam quantitatem assumit. Demum novitio procedente occurrit miri palloris homo, nigerrimos habens oculos, adeo extenuatus et macer, quod consumptis carnibus sola cutis relicta videntur ossibus superducta: hunc novitus osculatur, et sentit frigidum sicut glaciem et post osculum catholicae memoriae fidei de ipsius corde totaliter evanescit. Ad convivium postmodum discubentibus, et surgentibus completo ipso convivio, per quandam sta-**

every Inquisition was aroused, that Germany for a long time after remained free from this monster.³⁸

In the 12th century the executions of heretics were for the most part the handiwork of the irritated populace, and even found much opposition among the clergy.³⁹ However, theory, which in the 13th century was especially flexible, in this case also adapted itself to the practice of the Church, by the vindication of the new laws against heresy.⁴⁰

tuam (Rippoll. scalam), quae in scholis hujusmodi esse solet, descendit retrorsum ad modum canis mediocris gattus niger (comp. § 87, note 5), retorta cauda, quem a posterioribus primo novitus, post magister, deinde singuli per ordinem osculantur, etc. — Et his ita peractis extinguntur candelae, et proceditur ad foetidissimum opus luxuriæ. — Completo vero tam nefandissimo scelere et candelis iterum reaccensis, singulisque in suo ordine constitutis, de obscuro scholarum angulo quidam homo procedit, a renibus sursum fulgens et sole clarior, sicut dicunt, deorsum hispidus, sicut gattus, cuius fulgor illuminat totum locum. Tunc magister excerpens aliquid de veste novitii, fulgido illi dicit: Magister hoc mihi datum tibi do; illo fulgido respondente: Bene mihi servivisti; plures et melius servies; tuae committo custodiae, quod dedisti; et his dictis protinus evanescit, etc. After that the Stedinger were in a great measure exterminated, the Pope's eyes were opened to Conrad's frenzy (above, note 35), and he absolved the rest, not from heresy, but from disobedience and rebellion, see Gregor. IX. ep. ad Archiepisc. Bremensem, ann. 1235 (in Lindenbrogi script. rer. Germanic. septentrional. p. 197): Ex parte universitatis Stedingorum, in Bremensi dioecesi existentium, fuit nobis humiliter supplicatum, ut, cum super eo, quod vobis inobedientes et rebelles diutius extiterunt, vestris cupiant parere mandatis, faceremus excommunicationis sententiam, qua propter hoc tenentur adstrici, misericorditer relaxari.—Igitur—praesentium vobis auctoritate mandamus, quatenus ab eis sufficienti cautione recepta, quod vobis de praeteritis satisfactionem impendant, et Ecclesiae ac vestris imposterum pareant praecise mandatis, injuncto sibi, quod de jure fuerit injungendum, sententiam ipsam juxta formam Ecclesiae relaxatis.

³⁸ It was not till 1366 that an inquisitor could again commence active operations in Strasburg, Schmidt in Illgen's Zeitschrift, 1840, iii. 57, 67.

³⁹ Thus Guibertus Abbas (see § 78, note 2), in vita sua, lib. iii. c. 14, records an instance in which, fidelis populus clericalem verens mollitiem, had burned heretics without further consideration. In Cologne, also, the heretics were cast into the flames, a populis nimio zelo permotis, nobis (clericis) tamen invitis, see Evervinus, § 87, note 11. On the other hand, about 1144, the clergy in Liège rescued heretics from the fury of the people, see § 87, note 8. Petrus Cantor (§ 87, note 2) distinguishes the conduct of the Council of Rheims toward Eon as the proper course to pursue, incarceratus est, non interfactus, non membro mutilatus. Bernardi in Cant. cant. sermo lxiv. c. 8 (Opp. ed. Mabillon, i. 1489): Haeretici capiantur potius, quam effugentur. Capiantur, dico, non armis, sed argumentis, quibus resellantur errores eorum. (Haereticus) si reverti noluerit,—erit secundum Apostolum devitandus. Ex hoc jam melius (ut quidem ego arbitror) effugatur, aut etiam religatur, quam sinitur vineas demoliri. Sermo lxvi. c. 12, on a tumultuous massacre of heretics by the mob: Approbamus zelum, sed factum non suademos, quia fides suadenda est, non imponenda. Quamquam melius proculdubio gladio coercentur, illius videlicet, qui non sine causa gladium portat, quam in suum errorem multos trahicere permittantur. St. Hildegardis (abbess of the Monastery of St. Rupert, in Bingen, † 1180), ep. ad Praelatos Moguntin. (Bibl. PP. Lugd. xxiii. 568): per haereticos tota terra polluta est. Unde vos, o Reges, Duces et Principes, ac caeteri christiani homines, qui Dominum timetis, verba ista audite, et populum istum ab Ecclesia, facultatibus suis privatum, expellendo, et non occidendo, effugate, quoniam forma Dei sunt.

⁴⁰ Thomas Secunda Secundae, qu. 10, art. 8: *Utrum infideles compellendi sint ad fidem?*

Another no less evil result of this period, so fraught with atrocities, was, that to the laity the Holy Scriptures were entirely for-

Resp. dicendum, quod infidelium quidam sunt, qui nunquam suscepserunt fidem :—et tales nullo modo sunt ad fidem compellendi, ut ipsi credant, quia credere voluntatis est: sunt tamen compellendi a fidelibus, si adsit facultas, ut fidem non impediatur.—Alii vero sunt infideles, qui quandoque fidem suscepserunt, et eam profitentur, sicut haeretici, et quicumque apostatae : et tales sunt etiam corporaliter compellendi, ut impleant quod promiserunt, et teneant quod semel suscepserunt.—Sicut vovere est voluntatis, reddere autem necessitatis : ita accipere fidem est voluntatis, sed tenore eam acceptam est necessitatis. Art. 10: *Utrum infideles possent habere praelationem s. dominium supra fideles?* Resp. dicendum, quod circa hoc dupliciter loqui possumus. Uno modo de dominio vel praelatione infidelium super fideles de novo instituenda : et hoc nullo modo permitti debet. Cedret enim hoc in scandalum et in periculum fidei.—Et ideo nullo modo permittit Ecclesia, quod infideles acquirant dominium super fideles, vel qualitercumque eis praeficiantur in aliquo officio. Alio modo possumus loqui de dominio vel praelatione jam praexistenti. Ubi considerandum est, quod dominium et praelatio introducta sunt ex jure humano : distinctio autem fidelium et infidelium est ex jure divino. Jus autem divinum, quod est ex gratia, non tollit jus humanum, quod est ex naturali ratione : ideo distinctio fidelium et infidelium secundum se considerata non tollit dominium et praelationem infidelium supra fideles. Potest tamen juste per sententiam vel ordinationem Ecclesiae, auctoritatem Dei habentis, tale jus dominii vel praelationis tolli : quia infideles merito sue infidelitatis merentur potestam amittere super fideles, qui transferuntur in filios Dei. Sed hoc quidem Ecclesia quandoque facit, quandoque autem non facit. Qu. 11, art. 3: *Utrum haeretici sint tolerandi?* Resp. dicendum, quod circa haereticos duo sunt consideranda: unum quidem ex parte ipsorum, aliud vero ex parte Ecclesiae. Ex parte quidem ipsorum est peccatum, per quod meruerunt non solum ab Ecclesia per excommunicationem separari, sed etiam per mortem a mundo excludi. Multo enim gravius est corrumpere fidem, per quam est animae vita, quam falsare pecuniam, per quam temporali vitae subvenitur. Unde si falsarii pecuniae, vel alii malefactores statim per saeculares Principes juste morti traduntur: multo magis haeretici statim, ex quo de haeresi convincuntur, possunt non solum excommunicari, sed et juste occidi. Ex parte autem Ecclesiae est misericordia ad errantium conversionem; et ideo non statim condemnat, sed post primam et secundam correctionem, ut Apostolus docet. Postmodum vero si adhuc pertinax inveniatur, Ecclesia de ejus conversione non sperans, aliorum salutis providet, eum ab Ecclesia separando per excommunicationis sententiam, et ulterius relinquit eum iudicio saeculari, a mundo exterminandum per mortem. He answers the objection from the command of the Lord, Matth. xiii. 29, 30, *ut zizania permitterent crescere usque ad messem*: Si totaliter eradicentur per mortem haeretici, non est etiam contra mandatum Domini, quod est in eo casu intelligendum, quando non possunt extirpari zizania sine extirpatione tritici. Art. 4: *Utrum revertentes ab haeresi sint ab Ecclesia recipiendi?* Resp. dicendum quod Ecclesia secundum Domini institutionem caritatem suam extendit ad omnes, non solum amicos, verum etiam inimicos, et persequeentes, secundum illud, Matth. v. 44.—Pertinet autem ad caritatem, ut aliquis bonum proximi et velit et operetur. Est autem duplex bonum. Unum quidem spirituale, scilicet salus animae, quod principaliter respicit caritas: hoc enim quilibet ex caritate debet alii velle. Unde quantum ad hoc haeretici revertentes quotiescumque relapsi fuerint, ab Ecclesia recipiuntur ad poenitentiam, per quam impeditur eis via salutis. Aliud autem est bonum, quod secundario respicit caritas, scilicet bonum temporale, sicut est vita corporalis, possessio mundana, et bona fama, et dignitas ecclesiastica sive saecularis. Hoc enim non tenemur ex caritate alii velle, nisi in ordine ad salutem aeternam et eorum et aliorum. Unde si aliquid de hujusmodi bonis existens in uno impedire possit aeternam salutem in multis, non oportet quod ex caritate hujusmodi bonum ei velimus; sed potius ut velimus eum illo carere: tum quia salus aeterna preferenda est bono temporali, tum quia bonum multorum praefertur bono unius. Si

bidden,⁴¹ so that the possession of a translation of the Bible was forthwith accounted a token of heresy,⁴² and only translations prepared for the purpose of supporting the Romish Church were tolerated.⁴³

autem haeretici revertentes semper reciperentur, ut conservarentur in vita et aliis temporalibus bonis, posset in praejudicium salutis aliorum hoc esse: tum quia, si relaberentur, alios inficerent: tum etiam quia, si sine poena evaderent, alii securius in haeresim laberentur.—Et ideo Ecclesia quidem primo revertentes ab haeresi non solum recipit ad poenitentiam, sed etiam conservat eos in vita, et interdum restituit eos dispensative ad ecclesiasticas dignitates, quas prius habebant, si videantur vere conversi.—Sed quando recepti iterum relabuntur, videtur esse signum inconstantiae eorum circa fidem. Et ideo ulterius redeentes, recipiuntur quidem ad poenitentiam, non tamen ut liberentur a sententia mortis. Qu. 12, art. 2: *Utrum Princeps propter apostasiam a fide amittet dominium in subditos, ita quod ei obedire nos teneantur?* Videtur quod Princeps propter apostasiam a fide non amittat dominium.—Dicit enim Ambrosius (caus. xi. qu. 3, c. 94), quod Julianus Imp., quamvis esset apostata, habuit tamen sub se Christianos milites, quibus cum dicebat: producite aciem pro defensione reipublicae, obediebant ei.—Præterea sicut per apostasiam a fide receditur a Deo, ita per quodlibet peccatum. Si ergo propter apostasiam a fide perderent Principes jus imperandi subditis fidelibus, pari ratione propter peccata alia hoc amitterent. Sed hoc patet esse falsum.—*Sed contra est*, quod Gregorius VII. dicit (caus. xv. qu. 6, c. 4): Nos—eos, qui excommunicatis fidelitate aut sacramento sunt constricti,—apostolica auctoritate a sacramento absolvimus. And the Decretals of Lucius III. (see above, § 88, note 6): *Respondeo dicendum*, quod, sicut supra dictum est, infidelitas secundum seipsum non repugnat dominio.—Sed aliquis per infidelitatem peccans potest sententialiter jus dominii amittere, sicut etiam quandoque propter alias culpas. Ad Ecclesiam autem non pertinet punire infidelitatem in illis, qui nunquam fidem suscepérunt.—Sed infidelitatem illorum, qui fidem suscepérunt, potest sententialiter punire: et convenienter in hoc puniuntur, quod subditis fidelibus dominari non possint.—Et ideo quam cito aliquis per sententiam denunciatur excommunicatus propter apostasiam a fide, ipso facto ejus subditi sunt absoluti a dominio ejus, et juramento fidelitatis, quo ei tenebantur. *Ad primum ergo dicendum*, quod illo tempore Ecclesia in sui novitate nondum habebat potestatem terrenos Principes compescendi: et ideo toleravit, fideles Juliano Apostatae obedire in his, quae nondum erant contra fidem, ut majus periculum fidei vitaretur, etc.

⁴¹ Even Gregory VII. was no friend to translations of the Bible, and hence also not to the universal reading of Scripture, see above, Div. i. § 38, note 17. However, Innocent III. expresses himself somewhat mildly on this head, see above, § 88, note 11. On the other hand, Conc. Tolosanum ann. 1229, cap. 14: Prohibemus etiam, ne libros veteris Testamenti aut novi laici permittantur habere: nisi forte psalterium, vel breviarium pro divinis officiis, aut horas b. Mariae aliquis ex devotione habere velit. Sed ne praemissos libros habeant in vulgari translatos, arctissime inhibemus. The Conc. Biterrense ann. 1246, in its advicee to inquisitors, cap. 36 (Mansi xxiii. 724), speaks, de libris theologicis non tenendis etiam a laicis in Latino, et neque ab ipsis neque a clericis in vulgari. Comp. T. G. Hegelmaier's *Gesch. des Bibelverbots*. Ulm, 1783, s. 123.

⁴² Conc. Tarragonense ann. 1234, c. 2. Item statuimus, ne aliquis libros veteris vel novi Testamenti in Romanico habeat. Et si aliquis habeat, infra octo dies post publicationem hujusmodi constitutionis a tempore sententiae, tradat eos loci Episcopo comburendos: quod nisi fecerit, sive clericus fuerit, sive laicus, tamquam suspectus de haeresi, quousque se purgaverit, habeatur.

⁴³ Petrus comestor or mandator (episcopal chancellor in Paris, afterward in the Monastery of St. Victor, † 1198) gave, in his *Historia Scholastica* (often printed), an abridged translation of the historical books of the Bible, with the insertion of other histories and sayings of the Fathers. This was translated into French with fresh translations from the other books of the Bible, by Guiars des Moulins (1286–1289) as *histoires escolatres* (Hen-

§ 90.

SECTS IN THE THIRTEENTH CENTURY.

The regulations which were adopted against the heretics, and the cruel manner in which their so-called conversion was pursued,¹ could only produce exactly the contrary effect, to that they had in view, upon their convictions. This, however, they did accomplish, that the persecuted persons, filled with increased hatred and horror of the Church, spread themselves with the greatest secrecy over other countries also.² Thus, in the 13th century, pub-

ry's Leben Calvins, Bd. 1, Beilagen, s. 71. Archinard notice sur les premières versions de la Bible en langue vulgaire, Genève, 1839, p. 9). About the same time, also, a rhythmical translation was made into low Dutch (Catalogus biblioth. Paulinae Lips. p. 163. Sanderi biblioth. Belg. p. 285).

¹ Izarn (who wrote after 1242, because he mentions the murder of the Inquisitor Arnaud, in Millot, ii. 57, according to Schmidt in the Strassburger Beiträgen, i. 150, he was Prior of Villemur) has left behind him a picture, to the life, of these proceedings, in his poetical representation of the conversion of Sicard de Figueiras (see Millot hist. littéraire des Troubad, ii. 42 ss. Fragments of the original are preserved in Raynouard, v. 228). The missionary thus addresses the heretic (Millot, ii. 43): Dis-moi, hérétique, parle un peu avec moi. Tu ne le feras point, si tu n'y es forcé, selon ce que j'entends dire. Tu te moques bien de Dieu, d'avoir renié ta foi et ton baptême, pour croire que le diable t'a créé, et qu'un tel monstre peut te sauver. Then he proves to him that God is the Creator of all men and all things, and concludes (p. 50): Je veux qu'en un ou deux mots tu me répondes. Ou tu seras jeté dans le feu, ou tu te rangeras de notre côté, de nous, qui avons la foi pure avec ses sept échelons, savoir les sacrements, etc. Next comes a defense of marriage, to which, p. 52, he gives weight by the same manner of arguing : Quoi, indocile à toutes ces autorités de Dieu et de S. Paul, tu ne peux te rendre ? Mais le feu et les supplices t'attendent : tu vas y passer, p. 53 : Avant qu'on te jette dans les flammes, je veux cependant te donner congé par une autre dispute sur la résurrection de l'homme et de la femme, que tu ne crois pas non plus que le jugement universel. La parole de Dieu à ce sujet est infaillible et invariable ; de sorte que, si la tête d'un homme étoit par delà les mers, un de ses pieds à Alexandrie, l'autre au mont Calvaire, une de ses mains en France, et l'autre à Haut-Villar, et que le tronc fût porté en Espagne ; enfin que toutes ces parties, brûlées et mises en cendres, fussent jetées au vent ; elles reprendroient au jour du jugement la forme, qu'elles ont eue au baptême, etc. p. 59 : Avant que tu sois livré aux flammes, comme tu vas l'être, si tu ne te rétractes point, je voudrois encore te demander, pourquoi tu nies notre baptême, etc. — P. 62 : Je t'ai par huit fois convaincu d'erreur et de mensonge, hérétique obstiné : mais toutes les autorités des apôtres et des prophètes ne gagnent rien, et je perds mon tems avec toi. Still for the ninth time : Où as-tu trouvé dans l'écriture, et qui t'a appris, que ton ame soit venue de ceux, qui tombèrent du ciel sur la terre ? etc. At last the heretic submits to him, p. 66 : Izarn, assurez-moi, et faites-moi donner parole, que je ne serais pas brûlé, ni enfermé, ni maltraité. Je me soumets à toutes les autres peines, qu'il vous plaira, etc.

² See Berthold, the Franciscan's, Sermons, published by Kling (see above, § 80, note 6), s. 304 : Sie gênt och niht ze frumen Steten ; sie gênt zu den Wilren und ze de Dornern gerne, und halt ze den Kinden, diu der Gense huetent an dem Velde. Und etewanne giengen sie gar in geistlichem Gewande und swernt niht durch dehein Dine, dâ bî wart

lic feeling was roused more and more against Rome, against the clergy, and against the abuses of the Church,³ and from time to time there sprung up a stirring sense of the necessity of a reformation to counteract them.⁴ On comparison of the morals of the

man sie erkennen. Nû wandelt sie ir Leben und ir Ketzerie, rehte als der mâne, der sich dâ Wandelt in sô manige Wise. Alsô tragen nû die Ketzer Swert und Mezzer, langez Hâr, langez Gewant, und swernt die Eide nû. Sie haeten etewanne den Tôt ê geliten : wann sie sprâchen, Gôt der haeten die Eide verboten. Und ir Meisterhabent sie in nû erloubet, daz sie Eide swern. S. 308 also is worthy of note : Ez war ein verworhter Ketzer, der mahte Lieder von Ketzerie, und lête sie diu Kint an der Straze, daz der Liute dester mîr in Ketzerie vielen. Berthold wished, for this reason, that they might be counteracted by orthodox hymns of good authors.

³ See above, § 62, notes 18 and 20, § 63, note 28, § 65, notes 10 and 14 : As Conrad von Lichtenau saw in the conduct of Gregory IX. toward Frederick II. a prodigium ruentis Ecclesiae (see above, § 55, note 11); so also did the men of Provence naturally enough in the evils which befell their country. Compare the Troubadour Guill. Figueira about 1244 (in Millot, ii. 451) : Rome, tu te fais un jeu d'envoyer les Chrétiens au martyre. Mais dans quel livre as-tu lu, que tu doives exterminer les Chrétiens ?—Comme une bête enragée, tu as dévoré les grand et les petits. Que le brave comte Raimond vive encore deux ans, il fera repentir la France de s'être livrée à tes impostures. Tes crimes sont montés si haut, que tu méprises Dieu et ses Saints. Ta tyrannie éclate par l'injustice, que tu fais au comte Raimond.—Rome, je me console par l'espérance, que dans peu tu auras une manuvaise fin !

⁴ Compare La Bible de Guiot de Provins, above, § 62, note 20, Abbot Joachim § 70, note 8, and the complaints of the Minnesingers ; for instance, Walther v. d. Vogelweide (herausgeg. v. Lachmann. Berlin, 1826, s. 33) :

Alle Zungen suln ze Gote schrien wâsen (wehe!),
und rüefen ime, wie lange er welle släfen.
Si widerwürkent siniu Werc und felschent siniu Wort.
Sin Kameraere stilt im sinen Himmelhort (heaven's treasure),
Sin Süener mordet hie und roubet dort,
Sin Hirte ist zeinem Wolve im worden under sinen Schäfen.
Diu Kristenheit gelepte nie sô gar nach Wâne ;
dié sî dâ lérent solten, die sint guoter Sinne âne ;
es waer ze vil, und taet ein tumber Leie daz.
Si sündent âne Vorhie : darumb is in Got gehaz.—
Swelh Herze sich bi disen Ziten niht verkêret,
Sit daz der Bâbest selbe dort den Ungelouben mîret,
Dâ wont ein saelic Geist und Gotes Minne bi.
Nû seht ir, waz der Pfaffen Werc, und waz ir Lère si.
E daz was ire Lère bi den Werkem reine :
Nû sint si aber anders sô gemeine,
Daz wirs Unrechte würken sehen, Unrechte hocren sagen,
Die uns guoter Lère Bilde solten tragen :
Des mugen wir tumbe Leien wol verzagen.

Brother Werner (Minnesinger v. F. H. v. d. Hagen, ii. 231.) :

Wir Leijen han die Wisel vloren (lost the guides), die unser solten pflegen,
Nu grifen selbe (seek ourselves) nach den Pfaden, wir struchten bi (stumble in) den Wegen.

Master Stolle (at the end of the 13th century in v. d. Hagen, iii. 5) :

Der Babes solte ein Houbet sin der Kristenheit gar,
unt daz er si beschirmete vor den unrechten dar ;
er solte ouch ir Rihter sin :
nu dunket mich, wie er sie gar verkere.
Wir Leien sin der Pfaffen Spot,
si helfent al einander uns betriegen.

clergy with those of the heretics, the advantage was decidedly in favor of the latter;⁵ so it can not seem strange if in the 13th century we find the earlier parties more widely spread than before, and fresh sects sprung up along side of them. Yet the number of new names of heretics in this period is far greater than that of new parties.⁶

Daz erwendet vaterliche, Got ;
 Sit sie durch Guotes Girikeit an juwern Buochen liegen (lügen),
 unt velschen den Gelouben, da wir solten an genesen :
 sit si nach Rehte niht entuont, wie möhete dan ein Leie guot gewesen ?

⁵ Innocentii III. lib. vii. ep. 75 : Haeretici incautos tanto facilius post se trahunt, quanto ex vita Archiepiscopi et aliorum Praelatorum Ecclesiae contra Ecclesiam sumunt perniciosius argumentum, et aliquorum crimina refundunt in Ecclesiam generalem. Pseudo-Rainerii Summa (see below, note 11), cap. 3 (in Bibl. PP. Lugd. xxv. 263) : Sex sunt causae haeresis. Prima inanis gloria.—Secunda est, quia omnes, scil. viri et foeminae, parvi et magni, nocte et die, non cessant docere et discere.—Quidam haereticus ad hoc tantum, ut quendam a fide nostra averteret et ad suam converteret, nocte, tempore hyemali, per aquam, quae Ibsa (Ips, a river in Lower Austria) dicitur, ad ipsum natavit.—Tertia causa haeresis est, quia novum et vetus Testamentum vulgariter transtulerunt : et sic docent et discunt. Audivi, et vidi quendam rusticum idiotam, qui Job recitat de verbo ad verbum, et plures, qui totum novum Testamentum perfecte sciverunt. Quarta causa haeresum est scandalum de malo exemplo quorundam. Unde cum quosdam vident male vivere, dicunt : *Sic Apostoli non vixerunt, nec nos, qui sumus imitatores Apostolorum.* Quinta causa est insufficientia doctrinae quorundam, qui praedicant quandoque frivola, quandoque falsa. Unde quidquid Ecclesiae doctor docet, quod per textum novi Testamenti non probat, hoc totum pro fabulis habent, contra Ecclesiam. Sexta causa est irreverentia, quam quidam ministri Ecclesiae perhibent Sacramentorum. Septima causa est odium, quod habent contra Ecclesiam. On their morals ibid. cap. 7, p. 272 : Haeretici cognoscuntur per mores et verba. Sunt enim in moribus compositi et modesti : superbiam in vestibus non habent, quia nec pretiosis, nec multum abjectis utuntur. Negotiations non habent propter mendacia, et juramenta, et fraudes vitandas ; sed tantum vivunt de labore, ut opifices. Doctores etiam ipsorum sunt *sutores et textores*. Divitias non multiplicant, sed necessariis sunt contenti. Casti etiam sunt, maxime Leonistae. Temperati etiam sunt in cibo et potu. Ad tabernas non eunt, nec ad choreas, nec ad alias vanitates. Ab ira se cohibent : semper operantur, discunt vel docent, et ideo parum orant. Item ad Ecclesiam ficte vadunt, offerunt et confitentur, et communicant, et intersunt praedicationibus ; sed ut praedicantem capiant in sermone. Cognoscuntur etiam in verbis praecisis et modestis. Cavent etiam a scurrilitate et detractione, et verborum levitate, et mendacio, et juramento. Nec dicunt : *vere, vel certe, et similia* : quia haec reputant juramenta. Item ad quaestiones raro directe respondent. Ut, si quaeratur ab ipsis : *Scis tu Evangelium vel Epistolam?* respondent : *Quis docuisset me ista?* etc.

⁶ Frederick II. in his law against heretics, dd. Paduae 22. Febr. 1224 (in Hartzheim Concill. Germ. iii. 509. Petri de Vineis, epist. i. 27, adopted a second time into a Bull of Innocent IV. of the 22d May, 1253), enumerates the following heretical parties, whose names vary much in part in different texts : Patarenos, Speronistas (*al. Sporonistas*), Leonistas, Arnaldistas (*al. Arrianistas*), Circumcisos, Passaginos, Joseppinos, Carracenses (*al. Garratenses*, in Rainer *Concorreenses*), Albanenses, Franciscos, Bagnarolos (in Rainer *Bajolenses*, *al. ex conjectura Begardos*), Comistros (*al. Comistas*, *al. Comissos*), Waldenses, Runcarolos (*al. Romanolos*, *al. Burgaros*), Communellos, Warinos (*al. Varrianos*, *al. Barrinos*), et Ortolenos (*al. Ortulenos*, *al. Ortolevos*, in *Pseudo-Rainerius* : *Ortilibenses* and *Ortlibarii*), cum illis de aqua nigra. Berthold, the Franciscan, in his Sermons published by Kling, s. 302 : Ein heizent *Poverlewe* (i. e. *Pauperes de Lugduno*), und eine

We learn most about the state of the earlier sects from the controversial works of their enemies: such as that of Lucas, bishop of Tuy, in Galicia (about 1236),⁷ against the Albigenses; of the Dominican Yvonetus (about 1278),⁸ against the Waldenses; and of the Dominicans and Inquisitors, Stephanus de Borbone, in Lyons (about 1225),⁹ Moneta, in Bologna (after 1240),¹⁰ and Rainerius Sacchoni, in Lombardy (1259),¹¹ against both parties.

Arriani, und Runkeler, und Manachei, und Sporer, und Swirder, und Arnolder. Pseudo-Rainerius. c. 6, besides those above mentioned, speaks of the *Syfridenses* also (this reading, which is found in the Variis lectt., should be substituted for *Siscidenses*, the false reading in the text).—Among these names we may refer the following to the Cathari: Patareni, Manichaei, Arriani (see § 87, note 7), and the names of the Catharic sects, Albanenses, Concorrezzenses, and Bajolenses, of which below. The Joseppini are probably the Perfecti of the Cathari, who lived, like Joseph and Mary, in an appearance of marriage (*Pseudo-Rainerius*, c. 6, *in fine*: *Josephistae contrahunt matrimonium spirituale, et praeter coitum omnes delectationes exercent*). The names of the Waldenses (*Leonistas*, German *Poverlewe*), of the Arnaldists and Passagier (*Circumcisos*, *Pasaginos*, see above, § 87, note 33), need no explanation. The rest of the names seem to have been local names adopted in part from chiefs, who exercised a special influence in a certain region (e. g. Ortlichenser from Ortlieb, see below, note 33), Sifridenses, Bertholdt's *Swirder*, from Sifried, probably the name of Waldenses in some part of Germany, cf. *Pseudo-Rainerius*, c. 6, *init.* *concordant cum Waldensibus fere in omnibus, etc.*), in part from the places which were their head-quarters (e. g. Runkeler Runcarii, see *Pseudo-Rainer*, c. 6, *in fine*: *Haeretici quidam vocantur ex loco, ut Runcarii a villa, probably from Runkel*: thus the Speronistae, in Bertholdt, Sporer, as well as Robertus de Sperone, § 87, note 18, probably took their name from Sparone, a market-town in the Piedmontese province of Ivrea), in part from their employment (*texerants*, see above, § 87, note 7), comp. J. Grimm in the Wiener Jahrbücher, xxxii. 213.

⁷ *Lucae Tudensis Episc. de altera vita fideique controversiis adv. Albigensium errores*, lib. iii. prim. ed. J. Mariana, Ingolstad. 1612. 4. and in Bibl. PP. Ludg. xxv. 188.

⁸ *Tractatus de haeresi Pauperum de Lugduno in Martene Thesaur. anecdot. v.* 1777. D'Argentré collectio judicior. i. 95, discovered that the author, who is there anonymous, was the Dominican Yvonetus. According to a communication from Professor Schmidt in Strasburg, this tract is to be found in the library of that place, in three manuscripts agreeing with each other, revised by a German, in the same way as that of Rainerius by Gretser (note 11).

⁹ Comp. above, § 88, note 4. The extracts which belong to this place from Stephani de Borbone lib. de septem donis Spiritus Sancti, in d'Argentre collect. judiciorum, i. 85–91.

¹⁰ *Monetae Summa adv. Catharos et Valdenses*, libb. v. ed. Thom. Aug. Ricchini. Romae, 1743. fol.

¹¹ His *Summa de Catharis et Leonistis in Martene Thesaur. Anecdot. v.* 1762, and in d'Argentré, i. 48, is of especial weight in reference to the Cathari, comp. it in Martene, v. 1763: *Ego Frater Raynerius, olim Haeresiarcha, nunc Dei gratia sacerdos in Ordine Praedicatorum.—annis XVII. conversatus sum cum eis (Catharis)*. Afterward he was an Inquisitor, and as such was banished from Milan by Palavicini (see below, note 14). His *Summa* was much in use, but it was also greatly enlarged by additions (as Yvonetus, note 8). Thus the *Codex Rotomag* in Martene, the *Codex Cadomensis* in d'Argentré, and the *Codex Dublinensis* (see Echardi scriptt. Ord. Praed. i. 154), have each of them their peculiar additions to the end; these are, however, plainly distinguished from the genuine *Summa*. In other Codd there are found, on the contrary, additions at the beginning and end, and even united to the *Summa* without distinction. Manuscripts such as these, but also different ones, furnish the materials for the quotations in the anonymous treatise of the

The Cathari, or, as they were now more commonly called, the Albigenses or Bulgarians,¹² not only maintained their ground in southern France,¹³ but increased in number chiefly in Upper Italy,¹⁴ where the political distraction of the country was advanta-

year 1415, in H. v. d. Hardt rerum Conc. Const. t. iii. p. 663, and Gretser's edition (with the conjectural title, contra Waldenses, 1613, also in Bibl. PP. Ludg. xxv. 262). This Summa of Gretser's, which, according to the preface by d'Argentré, i. 47, is erroneously considered as a genuine work of Rainer's, and, indeed, as the second edition of his Summa prepared by himself, consists of ten chapters, and contains in the sixth chapter, together with other matter, Rainer's genuine Summa. All the rest was gathered from many sources, with great confusion and carelessness, by a German Inquisitor, who lived in Austria, probably at the end of the 13th century. As a help for the history of heretics in Germany, this Pseudo-Rainerius, as I have already several times called him, should not be overlooked, comp. my Comm. Crt. de Rainerii Sachoni Summa de Catharis et Leonistis (Gottinger Osterprogramm, 1834). The so-called Summa Rainerii in Claudii Coussort Waldensium ac quorundam aliorum errores confutati (Paris, 1548. 8. fol. 123), contains nothing of Rainerius, but only Excerpta from Yvonetus, and at the end some lines from Stephanus de Borbone.

¹² On their names, see Stephanus de Borbone in d'Argentré, i. 90: *Dicti sunt Albigenses*.—Dicuntur etiam a Lombardis *Gazari vel Pathari*: a Teutonicis *Kathari vel Kataristae*: dicuntur etiam *Burgari*, quia latibulum eorum speciale est in Burgaria: gallice etiam dicuntur ab aliquibus *Popelicanis*.—Matth. Paris, ad ann. 1236, p. 214: qui vulgariter dicuntur *Patherini et Bulgares*. The appellation Bulgari is also to be found in the Chron. Antissiodorens (written in 1211), ed. Camussaei, p. 96, 102, *Bulgri* in Albericus, p. 569, *Bogri* in Chron. Lobiense in Martene Thes. iii. 1427. The French forms are *Boulgare* and *Boulgre* (see § 59, note 39), from which afterward rose *Bougre*.

¹³ Hist. générale de Languedoc, iii. 319. C. Schmidt die Katharer in Südfrankreich in der ersten Hälfte des 13ten Jahrh. in den Strassburger Beiträgen zu d. theolog. Wissenschaften. Heft i. (Jena, 1847), s. 85. (Compare above, § 89, note 34.) During the war of Raymund VII. (1220–1229), and his rebellion (1239–1242), they came forth again more publicly (Schmidt, s. 123, 144): while the Inquisition was active, they kept themselves concealed, and some fled into northern Italy. Their head-quarters, the Castle of Montségur, was taken in 1244 by Raymund VII., who was forced to this step (Schmidt, 155): the party did not disappear from this country till the 14th century.

¹⁴ Thus in the year 1225 at Brescia, cf. Honori III. epist. ad Episc. Ariminens. et Brixensem (in Raynald, ann. 1225, no. 47). In civitate Brixiae, quasi quodam haereticorum domicilio. ipsi haeretici et eorum fautores nuper in tantam vesaniam proruperunt, ut, armatis turribus contra Catholicas, non solum Ecclesias quasdam destruxerint incendiis et ruinis, verum etiam, jactatis facibus ardentibus ex eisdem, ore blasphemо latrare praesumperint, quod excommunicabant Romanam Ecclesiam, etc. He commanded that the towers, from which this outrage had been perpetrated, should be destroyed: nevertheless opposition ensued, see Raumer's Gesch. d. Hohenstaufen, vi. 300, not. r. ex Regest. Honori.—Gregory IX., in 1227, upbraids the whole of Lombardy for toleration of heretics (see Raumer, in. 417, ex Regest. Gregor.); compare Brother Wernher, above, § 55, note 25.—The heretics then enjoyed full toleration, in the territory of Ezzelinus da Romana, an utterly infidel prince (cf. Rolandus, lib. vi. c. 5, in Muratori scriptt. rer. Ital. viii. 257), and Palavicini (cf. Annales Mediol. cap. 31, ad ann. 1259, in Muratori, xvi. 662: Ubertus Marchio Pelavisinus, qui Fratrem Raynerium Ordinis Praedicatorum, Inquisitorem haereticorum, natione Placentinum, de Mediolano ejici praecepit,—fuit dominus civitatum Mediolani, Cremonae, Placentiae, Papiae, Novariae, Vercellarum, Terdonae, Alexandriae, Cumarum et Brixiae. Iste in tantum fuit pestifer haereticus, quod in civitatibus, ultra dominabatur, haeretici publice suos errores praedicabant, scholas et doctores in cathedris habebant. Nec poterat aliquis Inquisitor haereticorum officium inquisitionis facere. He

geous to them, and where Milan¹⁵ continued to be their principal abode. But they spread themselves also into the rest of Italy,¹⁶ as far as Spain,¹⁷ and throughout Germany;¹⁸ they were very nu-

himself publice fuit confessus, quod nihil credebat de fide christiana, nec alicui haeresi).—About this time lived Armandus Pungilupus in Ferrara, who was honored as a saint after his death († 1269); but at last, in 1301, after a lapse of thirty years, he was declared by Boniface VIII. to have been a concealed Catharist. See the acts at full length in *Muratorii antiquitates Italicae medii aevi*, v. 93. *Pseudo-Rainerius*, c. 3: In omnibus vero civitatibus Lombardiae et in Provincia, et in aliis regnis et terris plures erant scholae haereticorum quam theologorum, et plures auditores: qui publice disputabant, et populum ad solemnes disputationes convocabant, in foro et in campis praedicabant et in tectis: et non erat, qui eos impidere auderet propter potentiam et multitudinem fautorum ipsorum.

¹⁵ Compare Frederick II.'s charges against the Pope, above, § 55, notes 19 and 22.—*Matth. Paris*, ann. 1236, p. 433: Erat civitas illa (Mediolanum) omnium haereticorum, *Paterinorum*, *Luciferanorum*, *Publicanorum*, *Albigensium*, *usurariorum* refugium et receptaculum.—*Incertus auctor* in *Urstisii Germ. histor. ii. 90*: Ann. Dom. MCCXXXI. facta est persecutio contra haereticos, hostes fidei, veritatis inimicos, quorum multitudo magna latitabat in populo Dei, in civitatibus, oppidis et villis, subvertentes et in errorem mittentes quos poterant de Ecclesia. Quorum plures comprehensi—et confessi sunt,—quod annualem censem transmittere solebant Mediolanum, ubi diversarum haeresium primatus agebatur. *Trithemius* in *chron. Hirsaug.* ann. 1230, had this passage before him, but he thus extends the last notice: *Unum Mediolani erroris sui Patriarcham habebant, inter consimiles latitantem, cuius mandatis obtemperabant in omnibus, eum Christi vicarium esse dicentes, cui singulis annis ex omnibus locis atque provinciis—censem destinabant annum*).—*Matth. Paris*, ann. 1240, p. 542: Mediolenses autem tune temporis formidine poenae potius, quam virtutis amore, haereticos, qui civitatem suam pro magna parte inhabitabant, ut famam suam redimerent, et accusationi imperiali liberius responderent, combusserunt; quamobrem numerus civium nimis est mutilatus.—However, after 1259, full toleration was again established under Palavicini, see *Ann. Mediol.* above, note 14.

¹⁶ Particularly in Florence after 1228, where Philip Paternon was bishop of the Cathari (*Raumer, iv. 187*);—in Rome in the year 1231 (*Raynald ad h. a. n. 13 ss.*);—in Viterbo 1235 (*Raynald ad h. a. no. 15*, from the ancient *Vita Gregorii IX.*: Ibi multos haereticos, quorum unus Joannes Beneventi Papa dicebatur, —damnavit);—in Sicily: *Frederici Imp. constitt. Sicul. lib. i. tit. i.* (in the year 1231): Ab Italiae finibus, praesertim a partibus Longobardiae, in quibus pro certo perpendimus ipsorum nequitiam amplius abundare, jam usque ad regnum nostrum Siciliae suae perfidia rivulos derivarunt.

¹⁷ Especially in Leon (*Lucas Tudensis*, iii. c. 9), where they allowed Arnaldus, one of their companions, as Lucas asserts, to be honored as a saint by the people.—*Matth. Paris*, ann. 1231, p. 395, speaks of an attack made by the Albigenses on the Christians of Spain, which, however, ended in a crusade and the complete extermination of the former.

¹⁸ Comp. *Gesta Trevir. ad ann. 1231* (ed. *Wyttbach et Müller*, i. 319): In the time of Conrad of Marburg it is stated, in ipsa civitate Treviri tres fuisse scholas haereticorum.—Et plures erant sectae, et multi earum instructi erant Scripturis sanctis, quas habebant in theutonicum translatas.—Eo tempore (1238) *Trevirensis Archiepiscopus* (*Theodericus*) synodus tenuit, in qua ipse publice enunciavit, haereticos in sua dioecesi habere Episcopum, quem cognominasset secundum suum nomen *Theodericum*, et idem alibi fecisse de Episcopis locorum; itemque eos habere communiter Papam, quem secundum catholicae Ecclesiae Episcopum nuncuparet *Gregorium*, ut, si interrogarentur de fide, eam fidem se habere dicerent, quam haberet Papa *Gregorius*, et ille Episcopus sic nominatus, nostrum nominantes et suum intendententes. (Thus also *Albericus chron.* p. 569, relates of the Bulgri: habebant isti quasdam vetulas, quibus nomina subornata imposuerunt, ita ut una diceretur sancta Maria, altera Ecclesia sive lex Romana, altera sanctum Baptisma seu Matrimonium, sive sancta Communio vocabatur: et quando dicebant in examinatione: ego credo quicquid cre-

merous in Bosnia and the adjoining countries, often the prevailing party,¹⁹ and they maintained in all lands a close connection with each other.²⁰

dit sancta Ecclesia seu lex Romana, eorum erat intentio ad illam vetulam, quam ipsi vocabant Ecclesiam, et sic de aliis.) In eadem synodo tres fuerunt haeretici praesentati, quorum duo sunt dimissi, unus exustus. In the brief, in which Gregory IX. calls upon the Archbishop Theoderic to continue this persecution (in Hartzheim Concil. Germ. iii. 540), he complains, quod Teutonia, quae—catholicae viriditate fidei et operum pietate redolere consuevit hactenus et vigere, nunc appetit plena sentibus et foedata sordibus vitiorum. The Landgrave Conrad, in the year 1233, destroyed many heretical schools in the Hessian territory, and also an entire village, Weilandsdorf, now Willnsdorf, in the Siegen territory, because of its heresy, see the Reimchronik in Kuchenbecker's Analecta Hassiaca, col. vi. p. 250. Pseudo-Rainerius, c. 3, enumerates forty-one schools of heretics in the diocese of Passau.

¹⁹ Comp. § 87, note 34. Honorius III. in 1226 praises Colomannus, Dux Sclavoniae, for being willing to exterminate the heretics in Bosnia (Fejér codex diplomaticus Hungariae III. ii. 99), and censures Joannes ulterioris Sirmii dominus, for not entering on the crusade vowed against them (p. 101). In the year 1233, the Bishop of Bosnia was deposed for heresy (p. 341), and Nicolsclavus, Dux de Bosna, whose predecessors were once addicted to heresy, renounced it on oath (p. 342). In 1234, Gregory IX. sent a legate to preach a crusade against heretics : tanta in Bosnia et vicinis provinciis exerevit copia perfidorum, quod jam tota terra velut deserta et invia luget et languit (p. 379, comp. 396 f.). Zibislaus, Knes v. Woscura, in 1236 is, inter Principes Bosnensis dioecesis, infectos macula haereticæ pravitatis, quasi lilium inter spinas (iv. i. 36). In the year 1238 a new crusade was preached against the Bosnian heretics in Hungary (p. 126). Innocent IV. sent a legate in 1243 to Croatia and Dalmatia, in order to exterminate, pravitatis haereticæ maculas, quibus terræ hujusmodi Ramis (?), sicut accepimus, sunt infectæ. Innocent IV. ad Episc. Jauriensem, etc. ann. 1247 (p. 467) : tam Ecclesia quam dioecesis Bosnensis—totaliter lapsa est—in perfidiam haereticæ pravitatis. Licet Archiepiscopus Colocensis—non sine magna effusione sanguinis, strage hominum, dispendiis rerum Ecclesiae Colocensis, quae temporale ibi dominium obtinuit, magnam partem illius terræ, abductis inde haereticorum multis millibus, expugnarit ; quia tamen Ecclesiae munitiones et castra non fuerunt ibidem ita firmata, quod possent ab aggressoribus et obsidione defendi, terra illa in puritate fidei non potuit retineri. Ladislaus, king of Hungary, in 1280 renewed the old laws against heretics (V. iii. 35) : in ducatu nostro ac dioecesi Bosnensi, et quibusdam adjacentibus terris diversæ haereticæ pravitatis sectæ—in contumeliam Creatoris et fidei christianaæ opprobrium—jam dudum miserabiliter pullulasse, et damnabiliter exerceris noscuntur.

²⁰ Epist. Yonis ad Giraldum Archiep. Burdigalensem (in Matth. Paris, ann. 1243, p. 608 ss.). Yvo, an ecclesiastic, was, as he states himself, though innocent, charged with heresy ; he withdrew from examination by flight, and now actually joined the heretics. Multas proinde compulsus circumire provincias, Paterinis in civitate Cumea commorantibus conquerendo narravi, qualiter pro fide eorum (quam, Deo teste, nunquam didiceram, vel sequebar) precipitatis in me sententius exulabam. Hoc illi auditio gavisi sunt, et me felicem censuerunt, eo quod persecutionem propter justitiam tolerasssem. Et ibidem apud eos tribus mensibus splendide ac voluptuose procurabar, et multos quotidie errores—audiens subtilebam. Meque beneficiis obligarunt ad promittendum sibi, quod ex tunc Christianis, cum quibus morosum possem habere colloquium, praedicarem persuadendo, quod in fide Petri neminem contingere salvari, et hanc sententiam pertinaciter edocerem. Hocque mihi fide interposita promittenti, sua cooperunt secreta detegere, perhibentes, quod ex omnibus fere civitatibus Lombardiae, et quibusdam Tusciae, Parisios dociles transmisissent scholares, quosdam logicis cavillationibus, alios etiam theologicis dissertationibus insudantes, ad astruendos ipsorum errores, et professionem apostolicæ fidei con-

However, in the course of the 12th century a schism in doctrine had already risen among the Cathari, which probably was caused by their connection with the Greek heretics in Thrace, promoted by the Crusades.²¹ Just as there the Bogomili had sprung up by the side of the strongly dualist Paulicians, so among the western Cathari, by the side of the strong Dualists, called in Italy Albanensians,²² a party was formed kindred with the Bogomili,

futandum. Multos etiam mercatores hac intentione mittunt ad nundinas, ut pervertant divites laicos commensales et hospites, cum quibus loquendi familiariter indulgatur facultas.—Cumque a praedictis fratribus degeneribus licentiam petisset, miserunt me Mediolanum, a suis comprofessoribus hospitandum. Et sic omnes pertransiens civitates Lombardiae circa Padum, semper inter Paterinos, semper in recessu accepi ab aliis ad alios intersigna. Cremonam tandem perveniens—nobilissima Paterinorum bibi vina, rabiolas, et ceratia, et alia illecebrosa comedens, deceptores decipiens, Paterinumque me profitens, sed Deo teste, fide, etsi non operis perfectione, Christianus existens. Cremonaeque per triduum commoratus, accepta licentia a complicibus, sed maledictione (so he now calls the benediction he had received) a quodam ipsorum Episcopo,—nomine Petro Gallo, inde—canales Aquilegiae sum ingressus peregrinans.—Carinthiam pertransivi solivagus, ac deinde in quodam oppido Austriae, quod teutonice Neustat dicitur,—inter quosdam novos religiosos, qui Beguini vocantur, hospitabar. Et in proxima civitate Wienna locisque circumiacentibus aliquot annis delitui, opera confundens, heu, heu, bona et mala: vivens enim, diabolo instigante, satis incontinenter, animae meae noxius adversabar; multos veruntamen ab errore Paterinorum revocans jam saepius memorato.—Rainerii Summa in Martene Thesaurus v. p. 1767: Sunt autem xvi. omnes Ecclesiae Catharorum.—Ecclesia Albanensis, vel de Donnezacho (probably Donzenac, in Limosin); Ecclesia de Concorrezo; Eccl. Bajolensis, sive de Bajolo; Eccl. Vincentina (Vicenza), sive de Marchia; Eccl. Florentina; Eccl. de Valle Spoletana; Eccl. Franciae; Eccl. Tolosana; Eccl. Carcassonensis; Eccl. Albigensis; Eccl. Sclavoniae; Eccl. Latino-rum de Constantinopoli; Eccl. Graecorum ibidem; Eccl. Philadelphiae in Romania; Eccl. Burgalae (al. Bulgariae); Eccl. Dugunthiae (al. Dugunithiae, al. Druganicae, probably Druguriae, the same as Tragurii, see above, § 87, note 18); et omnes habuerunt originem de duabus ultimis.—

²¹ The first traces of this schism may be seen in Bonacursus, above, § 87, note 32, and Petrus Valissarn. § 87, note 28. That the Bogomili contributed to the rise of the new parties, which denied absolute dualism, may be inferred both from their uniformity with them in doctrine, and also from this fact, that a certain Nazarius, between 1180 and 1200, brought the so-called Catharic Gospel of John from Bulgaria into Italy, see below, note 23.

²² Rainerius in Martene Thes. v. 1761. Secta Catharorum divisa est in tres partes, sive sectas principales, quarum prima vocatur Albanenses, secunda Concorrezenses, ter-tia Bajolenses: et hi omnes sunt in Lombardia. Caeteri vero Cathari, sive sint in Tuscia, sive in Marchia, vel in Provincia, non discrepant in opinionibus a praedictis Catharis, sive ab aliquibus eorum. Rainerius calls the three parties after their three chief communities in Upper Italy; namely, those in Alba (on the Tanaro, in Piedmont: this party had its chief community in southern France, in Donzenac), in Correggio (in the dukedom of Modena), and Bagnola, near Brescia (Bagnolum, vicus agri Brixensis, Jacob. Volaterranus, in Muratori, xxiii. 199. Brixia, haereticorum domicilium, see above, note 15). Moneta, on the other hand, is not acquainted with these names, but distinguishes between two chief parties of the Cathari, illi qui duo asserunt principia, and illi qui ponunt unum principium. The doctrines of the Albanensians may be seen in Rainerius, p. 1768, but much more fully in Moneta, who confutes them in lib. i.; comp. the latter, p. 3: Duo asserunt principia sine initio et sine fine. Unum dicunt patrem Christi et omnium justo-

which endeavored, by the assumption of one supreme principle, to
 rum, et Deum lucis. Alium vero Deum credunt esse illum, de quo Christus ait Joan. 14, 30 : *Venit enim Princeps mundi hujus, etc.* Istum credunt esse Deum excaecantem
 mentes infidelium et Deum tenebrarum. — Credunt etiam, quod iste sit Deus, de quo ait
Moyses Genes. c. 1: In principio creavit Deus caelum et terram, etc., et ea, de quibus ha-
 betur in Pentateucho, in lib. Josuae, et Judicum, et Ruth, Regum, et Paralipomenon, cre-
 dunt ab eo dicta et facta fuisse. Exceptis sexdecim Prophetis, et Psalmis, et quinque
 libris Salomonis, totam scripturam veteris Testamenti credunt ab eo esse ; quidam tamen
 eorum Job recipiunt, et totum Esdram, sicut praedictos Prophetas, et quinque libros praec-
 notatos. Isti credunt, visibilia ista et transitoria esse ab illo per creationem. E con-
 verso credunt, Deum patrem Christi et justorum esse creatorem permanentium tantum
 et aeternorum, et credunt, quod ipse alia sua quatuor elementa creaverit, et omnia, quae
 in eis sunt, et suos caelos, et quod ornaverit sole alio, quam sit iste visibilis, et alia luna,
 et aliis stellis (this loftier creation is called by them, according to p. 42, Jerusalem cae-
 leste). Dicunt autem et credunt, quod iste Deus sanctus et verus suum populum habue-
 rit caelestem (often called also, oves Israel) constantem ex tribus, scil. corpore et animo
 et spiritu. Anima intra corpus existit, spiritus vero, qui custos est animae, et rector ip-
 sius, intra corpus non est : et quod unaquaque anima a Deo bono creata proprium habet
 spiritum ad sui custodiam. Credunt etiam, quod Diabolus, qui et Satanus dicitur, invi-
 dens Altissimo, caute ascendit in caelum Dei sancti, et ibi colloquio suo fraudulentio praedictas
 animas decepit, et ad terram istam, et caliginosum aerem duxit, et credunt cum vil-
 licum iniquitatis dici a Domino, Luc. 16, 8. (According to p. 52, they thus interpret
Gal. 4, 26: illa, quae sursum est Jerusalem, libera est, quae est mater nostra.) Credunt eti-
 am et dicunt, quod ipse Diabolus de fraude sua, quam in caelo fecerat, exaltatus, praec-
 sumpsit cum suis complicibus in caelum ascendere : et ibi cum Michaeli Archangelo bel-
 lum commisso et devictum fuisse atque dejectum. Et de isto bello credunt intelligi illud
Apoc. 12, 7, quod ad literam credunt. (Of this history of the Heavenly Jerusalem they ex-
 plain also the prophetic books of the Old Testament ; for, p. 5 : credunt etiam, Proph-
 etas ante hujusmodi mundi constitutionem prophetasse in alio mundo, et prophetias eorum
 ad sonum literae esse intelligendas. Thus, according to them (p. 76), the invasion of the
 Chaldaeans, and the Babylonish captivity, were the breaking in of the devil into Heaven
 and the imprisonment of souls). Credunt etiam, quod Satan a Michaeli dejectus de cae-
 lo animas praedictas corporibus istis veluti carcerebus inclusit, et quotidie includit. (Rai-
 nerius, l. c. : Infundit eas quotidie in humanis corporibus et in brutis, et etiam de uno cor-
 pore eas transmittit in aliud, donec omnes reducentur in caelum). Iotas etiam animas di-
 cunt tertiam partem stellarum, de quibus dicitur, Apoc. 12, 4, quod *Draco trahebat tertiam partem stellarum caeli*, ad hoc ideo, quia sunt tertia pars hominum a Deo sancto crea-
 torum, ut opinantur, dicentes, ut praediximus, unumquemque in caelesti curia constare ex
 tribus praedictis. Iotas autem animas credunt propter peccatum suum, quando Diabolo
 consenserunt in caelo,—fuisse in istum mundum dejectas a Patre justorum, et credunt,
 quod dominus Jesus propter istas animas redimendas venerit de caelo in terram. (John
 the Baptist, according to p. 227, was a servant of the devil, ejus baptismus fuit a Diabolo,
 qui misit eum baptizare, ut baptismum Christi impediret.) Iotas etiam animas caelestes
 —credunt in his corporibus post adventum Christi in hac vita tam de peccato in caelo
 commisso, quam de aliis peccatis in praesenti mundo commissis poenitentiam agere ; et
 hanc poenitentiam dicunt eas incipere, quando fidem suam habere incipiunt, et manus im-
 positionem recipiunt. Hanc manuum impositionem baptismus dicunt Spiritus sancti, non
 baptismus aquae materialis : et credunt, quod in illa manus impositione unaquaque ani-
 marum caelestium proprium spiritum, scilicet quem in caelo habuerat, ad regimen et cus-
 todiam suam recipiat. In fine autem, id est in novissimo die, quando omnes poenitenti-
 am suam compleverint, simul redibunt ad caelos, et accipient corpora in caelesti curia s.
 terra derelicta (which bodies, according to p. 49, post discessionem animarum, deformia,
 according to p. 83, prostrata et mortua in caelo, remained behind). Et ad hoc inducunt
 illud, Matth. xxiv. 8 : *ubicunque fuerit corpus, illuc congregabuntur et aquilae.* Hanc autem
 receptionem corporum illorum, qui in caelesti patria surgunt, dicunt esse corporum mortuo-

escape the difficulties of dualism, and which was again divided rum resurrectionem, de qua saepe agitur in Scripturis. Isti non credunt Filium, vel Spiritum sanctum esse Deum per naturam, sed creaturam tantum Dei omnipotentis. Credunt etiam Patrem maiorem Filio, et diversum ab eo et Spiritu sancto in substantia, et Filium maiorem Spiritu sancto, et ab ipso substantialiter diversum. Isti distinguunt inter animam et spiritum: distinctionem etiam faciunt inter Spiritum sanctum, et Spiritum Paraclitum, et Spiritum principalem. Spiritum sanctum appellant unumquemque illorum spirituum, quos secundum intellectum eorum Deus Pater dedit ipsis animabus ad custodiam. Illos autem spiritus ideo sanctos dicunt, id est firmos, quia firmi steterunt, nec decepti nec seducti fuerunt a Diabolo. Spiritum Paraclitum dicunt Spiritum consolatorem, quem recipient etiam illi, quando recipient consolationem in Christo, et dicunt, multos esse Paraclitos et a Deo creatos. Spiritum principalem dicunt unum Spiritum sanctum, de quo intelligunt illud verbum, quod orantes dicunt: *Adoremus Patrem, et Filium, et Spiritum sanctum.* Hunc autem dicunt maiorem omnibus aliis Spiritibus sanctis, et ideo principalis denominatur. Hunc dicunt ineffabilis esse pulchritudinis, ita quod in illum desiderant Angeli prospicere, sicut dicitur, 1 Petr. i. 12. Credunt etiam, nemini datum esse Spiritum sanctum ante Christi resurrectionem. Credunt etiam isti, b. virginem Mariam caelestem fuisse, et non habuisse corpus humanum, sed caelestis,—et animam, atque spiritum ad custodiam animae deputatum. Dicunt etiam et credunt, quod in uterum Mariae descendit Christus a Patre missus in suo corpore, et anima, et spiritu, et nihil aliud traxit de Virgine, quam id, quod portaverat in ipsam:—propter quod credunt etiam illud, Joan ii. 4, dictum a Christo: *quid mihi et tibi est mulier?* quasi dicere, ut perverse intelligunt: nihil de te habui. Credunt etiam, quod his cibis usus non fuerit, aut quod famem vel similitudinem de hujusmodi non habuerit. Credunt etiam, quod in illo corpore caelesti passus sit et mortuus, tamen sine dolore.—Cum illo etiam corpore dicunt caelum ascendisse quadragesimo die, et ad dexteram Patris cum magno triumpho sedere, quia vicit eum, qui habebat mortis imperium, i. e. Diabolum: et propter illam victoriam dicunt, quod Pater dedit ei omnem potestatem in caelo et in terra. This was, according to Rainerius, i. c., the ancient system of the Albanenses, still generally received in the years 1200–1230, until Johannes de Lugio, *Bergamensis, eorum filius major et ordinatus Episcopus*, in many points departed from it. In the Italian communities the greater number of the young members followed this John, while the older members, with Belasmansa, their bishop at Verona, at their head, remained true to the old system, which also the Cathari Ecclesiae Tolosanae, et Albigensis, et Careassonensis, et fere omnes Ecclesiae Catharorum de ultra mare, continued to maintain (Rainerius, p. 1774). John of Lugio seems to have been led on to his peculiar opinions by the question, How could souls created good have been induced to sin? Hence he thought that good and evil had limited each other from eternity, and had already intermingled in the world above, so that even the good God was thus restricted in power and knowledge. Further, Rainerius says, p. 1772: iste Johannes recipit totam bibliam, sed putat eam scriptam esse in altero mundo, et ibidem esse formatos Adam et Evam. Item credit, quod Noe, Abraham, Isaac et Jacob, et caeteri Patriarchae, et Moyses, et Ioseph, et omnes Prophetae, et b. Johannes baptista placuerunt Deo, et quod fuerint homines in alio mundo, et quod Christus natus est ex patribus secundum carnem ex b. Virgine,—sed putat, quod omnia praedicta fiunt in alio superiori mundo, et non in isto.—Item quod verus Deus dedit in eodem mundo populo supradicto legem Moysi. — Quid plura? quicquid in tota biblia legitur fuisse in hoc mundo, ipse in quadam alio mundo ad literam fuisse convertit. The Albanensians held the *Visio Esiae* in very high estimation (Moneta, p. 218); it was an apocryphal book originally written in Greek (see vol. i. Div. i. § 52, note 30), which, ever since the third century, many of the Gnostic sects (Archontici, Hierakites, Priscillianists, Bogomili) prized greatly; it was probably by means of the Bogomili that it reached the western Cathari. It is probably the Latin translation used by the Cathari, which was printed in Venice in 1522, and has been lately reissued (by me in the Göttinger Pfingstprogramm, 1232: vetus translatio latina Visionis Jesiae edita atque præfatione et notis illustrata, and in Engelhardt's Kirchengeschichtl. Abhandlungen, Erlangen, 1822, s. 209 ff.).

into the Concorrezenses and Bagnolenses.²³ However, with few exceptions, all Cathari stood in close connection with each other,²⁴

²³ Against them, Moneta lib. ii. Rainerius, p. 1773, speaks as follows of the Cathari de Concorrezo: *Isti bene sentiunt de uno principio tantum, sed multi ex eis errant in Trinitate et Unitate.* (Moneta, p. 112: *credunt, quod Christus sit minor Patre in Deitate, et Spiritus sanctus minor Christo.*) Item confitentur, *quod Deus ex nihilo creavit Angelos, et quatuor elementa; sed errant credendo, quod Diabolus de licentia Dei formavit omnia visibilia, sive hunc mundum.* (Moneta, p. 110: *dicunt, quod—Lucifer a Deo creatus est, et fuit bonus, sed propter superbiam suam contra creatorem cum multis aliis Angelis sibi faventibus de caelo ejectus est.*—*Satan primo venit ad videndum quod creatum erat a Deo, et cupivit hic regnare, ista autem cupiditas radix fuit omnium malorum, according to 1 Tim. vi. 10. Postea rediit, et astra caeli, i. e. Angelos multos seduxit.*—*Dicunt, quod sol et luna, et aliae stellae Daemones sunt, adjicientes, quod sol et luna semel in imense adulterium committunt, etc.*) Item credunt, *quod Diabolus formavit corpus primi hominis, et in illud effudit unum Angelum, qui in modico jam peccaverat* (Moneta, p. 110: *quod Adae spiritus, qui erat caelestis Angelus, ex mandato Dei venit ad videndum, qualiter Lucifer elementa distinxerat, et rerum species ex eisdem; quem Lucifer apprehendit, et in corpore carneo velut in carcere reclusit;* p. 111: *quod Satan alium Angelum inclusit in corpore muliebri facto de latere Adae dormientis, cum qua peccavit Adam: fuit autem peccatum Adae, ut asserunt, fornicatio carnalis.*) Item, *quod omnes animae sunt ex traduce ab illo Angelo* (Moneta, p. 110: *quod sicut caro ex carne per coitum nascitur, ita spiritus ex spiritu procreatur.*) Item reprobant totum vetus Testamentum, putantes, *quod Diabolus fuit auctor ejus, exceptis illis tantummodo verbis, quae sunt inducta in novo Testamento per Christum et Apostolos, sicut illud: ecce virgo concipiet et similia.* (Moneta, p. 112: *sicut Moysen ministrum Diaboli credunt,—ita credunt ipsi Prophetas nuncios fuisse ejus: et si aliquando aliquid boni dixerunt de Christo, coacti a Spiritu sancto dixerunt, quod et de Moyse credunt, ubi de Christo locutus est.*) Item isti omnes damnant Moysen, et ex illis multi dubitant de Abraham, Isaac et Jacob, et caeteris Patriarchis et etiam Prophetis in speciali, et multi ex eis modo bene credunt de b. Johanne baptista, quem olim omnes damnabant. Item dicunt, *quod Christus non assumpsit animam humanam, sed fere omnes credunt, eum assumpsisse carnem de b. Virgine.* Nazarius, an old bishop of the Concorrezensians, maintained, however, against Rainerius (see his works, p. 1773), *quod b. Virgo fuit Angelus, et quod Christus non assumpsit animam humanam, sed angelicam, sive corpus caeleste.* Et dixit, quod habuit hunc errorem ab Episcopo et Filio majore Ecclesiae Bulgariae jam fere elapsis annis Ix. This doctrine may also be found in the Catharic Evangelium Johannis in Benoist histoire des Albigeois, i. 283, and in Thilo codex apocryphus, N. T. I. 884, to which in the MS. this note was added: *Hoc est secretum Haereticorum de Concorrezo portatum de Bulgaria a Nazario, suo Episcopo, plenum erroribus.* But Nazarius, according to that passage of Rainer, and therefore also this manuscript, came into the west about 1180—1200. Besides, this work would be more suitably called the *Apocalypsis*, than the *Evangelium Johannis*; for it consists of questions, which John puts to Jesus about the creation of the world and mankind, the mission of Jesus, and the consummation of things, and of the full answers of Jesus, which correspond with the views of the Concorrezenses, as well as those of the Bogomili.

Rainerius says of the Bagnolenses, p. 1774, that on almost all points they agree with the Concorrezenses, excepto hoc, scilicet quod dicunt, *quod animae sunt creatae a Deo ante mundi constitutionem, et quod tunc etiam peccaverunt.* Moreover, they agreed with Nazarius on this point, *quod b. Virgo fuit Angelus, et quod Christus non assumpsit naturam humanam ex ea, nec vere passus est aliquem dolorem in morte, sed quod assumpsit corpus caeleste.* On the extension of these two parties Rainerius says, l. c.: *Nulla vero Ecclesia Catharorum concordat in omnibus Ecclesiae de Concorrezo. Ecclesia Franciae concordat cum Bajolensi. Illi vero de Marchia Tervisina, et de Tuscia, et de Valle Spolitana concordant dictis Bajolensibus in pluribus quam cum Albanensibus.*

²⁴ Rainerius, l. c. Omnes Ecclesiae Catharorum se recipient ad invicem, licet habe-

as also in their practical principles and customs they quite agreed.²⁵

ant diversas et contrarias opiniones, praeter Albanenses et Concorrezenses, qui se damnant ad invicem.

²⁵ On this head, besides Rainerius and Moneta, the Liber sententiarum Inquisitionis Tholosanae, ab anno Chr. 1307 ad annum 1323, at the end of Ph. Limborth hist. Inquisitionis, Amstelod. 1692. fol. is of especial weight. Comp. Rainerius, p. 1761: Communis opinio Catharorum est omnium, quod matrimonium carnale fuit semper mortale peccatum, et quod non punietur quis gravius in futuro propter adulterium vel incestum, quam propter legitimum conjugium.—Item credunt, quod comedere carnes, et ova, vel caseum, etiam in urgente necessitate sit peccatum mortale, et hoc ideo, quia nascuntur ex coitu (on the other hand, even the Perfecti took wine without scruple, see Liber sent. p. 3, 22, 42, and many places, and fish, cf. ibidem, p. 50, 55, 57, 105, for both of which the old Manichaean entertained the greatest abhorrence). Item quod non licet jurare in aliquo casu, et hoc ideo esse mortale peccatum. Item quod potentes saeculares peccant mortaliter puniendo malefactores vel haereticos. Only the *Perfecti*, called, by way of distinction, *Cathari*, who had been fully admitted into the sect by the *Consolamentum*, had to observe these regulations strictly. They went about clad in black (nigrum habitum praeferabant, see Petrus Vallissarn. above, § 87, note 28), were required to avoid even the touch of a woman (Lib. sent. p. 150: non tangunt mulierem, nec permittunt se tangi a muliere), and dared not taste a morsel of food without prayer (Rainerius, p. 1765: multi ex eis in suis infirmitatibus dixerunt aliquando eis, qui ministrabant eis, quod ipsi non ponerent aliquid cibi vel potus in os eorum, si illi infirmi non possent dicere *Pater noster* ad minus). The vow which was imposed upon them was, according to the App. ad Rainer., in Martene Thes. v. 1776: Promittis, quod de caetero non comedas carnes, nec ova, nec caseum, nec aliquam victoram, nisi de aqua et ligno? quod non mentieris, nec jurabis, nec occides quicquam ex reptilibus, nec exercebis aliquam libidinem de corpore tuo, nec ibis solus, dum possis solum habere, nec solus comedes, nec jacebis sine camisia et bracis, nec relinques fidem timore ignis vel aquae, vel aliis generis mortis? The *Credentes*, the catechumens of the party, were not, on the contrary, bound by this law, and often lived licentiously, because they expected to receive full forgiveness of sin in the *Consolamentum* (Rainerius, p. 1763: saepe dolent, cum recolunt, quod non impleverunt saepius libidinem suam tempore, quo nondum professi fuerant haeresim Catharorum). They often put off the reception of the *Consolamentum* even to their death-bed; they made with this view a formal compact (*la convenenza*) with a *Perfectus*, in order that if it were impossible for them, from sickness, to make the necessary declaration, they might not be hindered by this from receiving the *Consolamentum* (Liber sent. p. 42: fecit convenientiam seu pactum haereticis, quod vellet recipi in fine suo ad sectam et ordinem ipsorum: this is often mentioned). Since those who were thus admitted, in case of recovery, were bound, as *Perfecti*, to observe the rules of the sect, and yet were not always believed to possess the requisite firmness, so they were commonly urged, after the reception of the *Consolamentum*, to undergo the *Endura* (from the provencal word *endurar*, abstinence); in other words, to refrain entirely from meat and drink, in order to make their death certain (e. g. Lib. sent. p. 28: Montolina—se posuerat in endura, quam servabat, et in qua obiit recepta in sectam haereticorum:—per sex septimanas steterat in endura, et nec comederat, nec biberat nisi aquam). Accordingly, the number of the *Perfecti* in comparison with that of the *Credentes* was very small (Rainerius, p. 1768: O lector, dicere potes secure, quod in toto mundo non sunt *Cathari* utriusque sexus numero quatuor millia, Gretser's text, in the Bibl. PP. Lugd. xxv. 269, adds to this: sed *Credentes* innuneri). The *Credentes* provided the *Perfecti* with all necessaries, and brought them money, clothing, bread, wine, fruits, and fish (Lib. sentent. in many places): they greeted them, whenever they met them, with a respectful salutation (Lib. sent. p. 132: quando veniebat ad eos, et quando recedebat ab eis, salutabat eos modo haereticali amplexando, ponendo manus ad utrumque latus, et vertendo caput ter ad utrumque humerum ipsorum, dicendo qualibet vice *benedicite*). The women, on the other hand, since they might not venture to touch the *Perfectus*, greeted him, p. 24, inclinando

A well-organized hierarchy contributed not a little to promote this connection.²⁶

caput junctis manibus): often, especially at the end of meetings for Divine service, they rendered them an *Adoratio* (Lib. sent. p. 13, flectendo genua ter junctis manibus inclinando se profunde coram eis [p. 21, ponendo manus usque ad terram; p. 10, inclinando se super unam bancam] et dicendo ter *benedicite*, p. 56: et in fine: *boni Christiani, rogate Deum, quod perducat nos ad bonum finem*; or, p. 30: *boni Christiani benedictionem*; et ipsi respondebant: *a Deo habeatis et a nobis*; or, p. 10: *Deus vos benedicat*; or, p. 197: *Deus vos perducat ad bonum finem*). According to Rainerius, p. 1762, the Cathari had four sacraments; namely, 1. *Impositio manus* (Lib. sent. p. 6: quam ipsi vocant *baptismum spiritualem*, seu *consolamentum*, vel *receptionem*, et *bonum finem*), compare the descriptions in Ermengard, above, § 87, note 26, in the appendix to Rainerii Summa, in Martene Thes. v. 1776, and in Lib. sent. p. 52, 186, 190, 249. At the end of this (see App. ad Rainerium) datur illi haereticato quoddam filum subtile lineum vel laneum pro habitu, quem portat supra camisiam, et sic ille postnodum dicitur *haereticus indutus*, or, as in Lib. sent. p. 152, 169, *haereticus vestitus*. 2. The *fractio panis*. At every meal bread was broken by the chief person present, consecrated and distributed with prayer. Pieces of this consecrated bread (Lib. sent. p. 29: *panis benedictus, quem vocant panem sanctae orationis*) were distributed also to the Credentes, and kept by them: afterward they partook of them from time to time. (Lib. sent. p. 111, 160.) This was their Lord's Supper, but it was unaccompanied by belief in transubstantiation. 3. The *poenitentia*, a public confession of sin, which in the case of lighter transgressions was fulfilled once a month. In case of more grievous sins the *Consolamentum* had to be repeated. 4. *Ordo*, see note 26.

²⁶ See Yvo's letter, above, note 20.—On their hierarchy, Rainerii Summa, in Martene Thes. v. 1766: Ordines Catharorum sunt quatuor. Ille, qui est in primo et maximo Ordo constitutus, vocatur Episcopus: ille qui in secundo, Filius major: ille qui in tertio, Filius minor: et qui in quarto et ultimo, dicitur Diaconus. Caeteri, qui inter eos sunt sine Ordinibus, vocantur Christiani et Christianae. Officium Episcopi est, tenere semper prioratum in omnibus, quae faciunt, scil. in impositione manus, in fractione panis, et in incipiendo orare. Idem servat Filius major absente Episcopo, similiter facit Filius minor, absente Episcopo et Filio majore. Practerea isti duo Filii, simul vel separatim, discurrent visitare Catharos et Catharas omnes, qui sunt sub Episcopo, et omnes tenentur obediere eis. Similiter in omnibus servant et faciunt Diacones, unusquisque in suis subditis, absentibus Episcopo et Filii. Et est notandum, quod Episcopus et Filii habent in singulis civitatibus, maxime in quibus morantur Cathari, singulos Diacones. The bishop, with his two sons, was perhaps a representation of the Divine hierarchy, as it was acknowledged by the Euchetae (*πατήρ, νιὸς πρεσβύτερος, νιὸς νεώτερος*, see Div. i. § 45, note 5), the Bogomili (see below, § 96), and, after them, by the Concorrezenses also (note 23). That the hierarchy of the Cathari was continued at this time, is plain from the following remark of Rainer, that formerly, after the death of a bishop, the Filius minor used to consecrate the Filius major as bishop: that this, however, was now altered by the Cathari, dicentes, quod per talem ordinationem Filius instituat Patrem, quod satis apparet incongruum. Thence rose the custom that every bishop before his death should consecrate the Filius major to be bishop. There is much to be said in favor of the supposition that a pope stood at the head of the Catharic hierarchy. In Conradi Portuensis Episcopi et apostolicae sedis Legati ep. ad Gaufridum Archiep. Rothomagensem in the year 1223 (in Martene Thes. Aneclot. i. 901, more correctly in C. L. Hugo, Sacrae Antiquitatis Monumenta. Stivagii, 1725. fol. p. 115) we find: *Ille homo perditus, qui extollitur super omne quod colitur, aut quod dicitur Deus, jam habet perfidiae suaee praembulum Haeresiarcham, quem haeretici Albigenenses Papam suum vocant, habitantem in finibus Burgarorum, Croatiae et Dalmatiae, juxta Hungarorum nationem.—Ad eum confluent haeretici Albigenenses, ut ad eorum consulta respondeat.—Iste Satan quandam suee perversitatis hominem usque in Agensem dioecesin destinavit nomine Bartholomaum Cartes, est enim de Carcassona oriundus, vices illius Antipapae agentem, ut illis corruptis par-*

When the persecutions began, the Waldenses were standing so near the Catholic Church, that a reconciliation seemed to be by no means difficult. Remarkable, in this view, is the attempt of Durandus de Osca (1210), who had returned to the Catholic Church—an attempt which met the approval of Innocent III., to transform the Pauperes de Lugduno into monastic Pauperes catholici:²⁷ however, no comprehensive or lasting results were thus at-

tibus propinet uberioris fel Draconis in calice Babilonis. Cui Bartholomeo Vigorosus de Barcelona haereticorum Episcopus funestam exhibendo reverentiam, sedem et locum suum concessit in villa, quae dicitur Poreus (*al. Poires*), et se ipsum transtulit in partes Tholosanas. Iste Bartholomaeus in literarum suarum undique discurrunt tenore, sc. in primo salutationis alloquo intitulat in hunc modum: *Bartholomaeus servus servorum sanctae fidei, tali salutem.* Ipse etiam inter alias enormitates creat Episcopos, et Ecclesiastis perfide ordinare contendit. This so-called pope may have been the chief of the Bogomili, who at the head of 12 apostles presided over the sect, and maintained their connection with the western Cathari. In the West, an analogous institution may have risen in individual communities, to which Eckbertus seems to allude, above, § 87, note 12, and Stephanus de Borbone in *d'Argentré*, i. 90: *Dictus autem Manes, ut dicit Augustinus, XII. elegit ad exemplum Christi, quos Apostolos nominavit: quod adhuc tenent Manichaei: unde habent supra omnes Magistratum principalem, alios Episcopos et Presbyteros ab eis ordinatos, et Diaconos, quos Electos vocant.* Still, this may be explained by its having been only a hearsay about the head of the Bogomili. It is certain that among the Cathari no such institution arose with any widely extended influence; for Rainierius, who was well acquainted with his subject, and describes in detail the Catharic hierarchy, says nothing about it. A Papa Niquinta or Nicetas does indeed make his appearance in Languedoc in 1167, see § 87, note 18, a patriarch at Milan in *Trithemius*, above, note 15, a certain Joannes Beneventi, Papa in Viterbo, note 16, and a Papa Gregorius in the *Gesta Trevir.* note 18: In the year 1229, ille pestifer qui dicebatur *Apostolicus Albigensium* *Guillelmus nomine*, was burned to death (*Albericus*, p. 529). However, these statements agree too little with each other, and are quite explained by the fact that all Catharic bishops were called also Patres and Papae, with reference to the *Filius major* and *minor*: besides, the Catholics merely, from analogy, may have transferred the notion of the Papacy to certain distinguished Catharic bishops.

²⁷ Innocent III. lib. xi. ep. 196, communicates to the Archbishop of Tarragona and his suffragans the confession of faith upon which Durandus de Osca was received back by the Pope, and the approved *Propositum conversationis*; and charges him likewise to admit again into the Church those Waldenses who would swear to the same conditions. The chief points of the *Propositum* are the following: *Ad honorem Dei et ejus Ecclesiae catholicae, et ad salutem animarum nostrarum, fidem catholicam per omnia et in omnibus integrum et inviolatum corde credere et ore proposuimus confiteri, sub magisterio et regimine Romani Pontificis permanendo.* *Saeculo abrenunciavimus, et quae habebamus, velut a Domino consultum est, pauperibus erogavimus, et pauperes esse decrevimus: ita quod de crastino solliciti esse non curamus, nec aurum nec argentum vel aliquod tale praeter victum et vestitum quotidianum a quoquam accepturi sumus.* *Consilia evangelica velut praeculta servare proposuimus.*—*Cum autem ex magna parte clerici simus et paene omnes literati: lectioni, exhortationi, doctrinae, et disputationi contra omnes errorum sectas decrevimus desudare.*—*Per honestiores autem et instructiores in lege Domini et in ss. Patrum sententia verbum Domini censumus proponendum in schola nostra fratribus et amicis, cum Praelatorum vero licentia et veperatione debita, per idoneos et instructos in sacra pagina fratres, qui potentes sint in sana doctrina arguere gentem errantem, et ad fidem modis omnibus trahere, et in gremio s. Romanae Ecclesiae revocare.*—*Religiosum et modestum habitum ferre decrevimus, qualem consuevimus deportare, calcamentiis de-*

tained. Rather, the horrors of the persecution had no further effect on the surviving Waldenses than to confirm them more and

super apertis ita speciali signo compositis et variatis, ut aperte et lucide cognoscamus nos esse, sicut corde, sic et corpore, a Lugdunensibus et nunc et in perpetuum segregatos, nisi reconcilientur catholicae unitati.—Si qui vero saecularium in nostro voluerint consilio permanere, consulimus, ut, exceptis idoneis ad exhortandum et contra haereticos disputationem, caeteri in domibus religiose et ordinate vivendo permaneant,—manibus laborando, decimas, primitia et oblationes Ecclesiae debitas persolvendo. *Ibid. epist. 198 ad Durandum*, the Pope grants at his request, iis, qui remanentes in saeculo ad honorem Dei et salutem animarum suarum in vestro proponunt consilio permanere,—ne contra Christianos cogantur ad bellum procedere, vel pro rebus saecularibus—juramentum praestare, only with this addition, quantum sine aliorum praejudicio et scandalo possunt salubriter observari, maxime cum permissione saecularium dominorum. *Lib. xii. ep. 17, ad Archiep. Mediolan.* Durandus had come to Milan, and here also had converted many Waldenses. The Pope writes to the archbishop that, according to Durandus's assertion, alii fere centum reconciliari volebant, dummodo quoddam pratum, quod commune Mediolanense ipsis olim concesserat, in quo sua schola constructa conueverant convenire ac exhortari fratres ad invicem et amicos, quam bona memoriae praedecessor tuus destrui fecerat, dum essent excommunicationis vinculo innodati, et nunc iterum est erecta, ipsis concedere velles, ut ad exhortationem mutuam faciendam fratribus et amicis libere valeant convenire. Unde nobis humiliter supplicarunt, ut pratum praedictum eisdem faceremus concedi ad proponendum in schola praefata more solito verbum Dei. The Pope writes on this head to the archbishop, that the granting of this request certainly ought not to be made a condition of reconciliation, but that he might afterward grant it, sine gravi scandalo aliorum. But thereupon *Lib. xii. ep. 69, ad Durandum de Osca et fratres ejus*: Gravem contra vos venerabilium fratrum nostrorum, Narbonensis Archiep. et Biterrensis, Uticensis, Nemausensis et Carcassonensis Episcoporum querelam recepimus, quod vos plus debito de gratiae nostrae favore jactantes, adversus ipsos nimium insolescitis, adeo ut in eorum aspectu quosdam Waldenses haereticos nondum reconciliatos ecclesiasticae unitati duxeritis ad Ecclesiam, ut vobis cum consecrationi dominici corporis interessent, participantes in omnibus cum eisdem. Quosdam quoque monachos, qui a suis monasteriis exierunt, et alios quosdam sui propositi desertores in vestro vos assurerunt consortio retinere. Habetum etiam pristinae superstitionis, scandalum apud Catholicos generantem, in nullo vos penitus immutasse testantur. Occasione praeterea doctrinalis sermonis, quem in schola vestra proponitis fratribus et amicis, ab Ecclesia multi recedunt, non curantes in ea divinum officium aut sacerdotalem praedicationem audire. Sed et Clerici, qui sunt de vestro consortio in sacris Ordinibus constituti, divinum officium secundum institutiones canonicas non frequentant. Adhuc insuper aliqui vestrum affirmant, quod nulla saecularis potest sine mortali peccato potest judicium sanguinis exercere. The Pope warns them very solemnly to put away these abuses; still he answers these bishops, *Ep. 67, ad Narbon. Archiep. et Suffraganeos ejus*: Si, quemadmodum nobis—intimastis, Durandus de Osca cum complicibus suis infideliter agit, vel ad fallendum Romanam Ecclesiam, vel ad eludendum canonicam disciplinam: illud sibi profecto continget, quod de talibus Scriptura testatur: *In insidiis suis capientur iniqui*, cum astutias Satanae non penitus ignoramus. Si vero de pristina superstitione quicquam retineat ad cautelam, ut facilius capere possit vulpeculas, quae moliuntur vineam Domini demoliri, tolerandus est prudenter ad tempus, donec arbor e fructibus cognoscatur, dummodo circa substantiam veritatis de corde puro et conscientia bona et fide non facta procedat, quandoquidem Paulus Apostolus dicat: *Cum essem astutus, dolo vos cepi.*—Quod si etiam a prisca consuetudine non subito recedat ex toto, aliquid sibi de illa reservans, ut verecundiae forte parcendo quasi veterem legem sepeliat cum honore: nec sic est penitus confutandus, dummodo, sicut praediximus, non aberret in substantia veritatis, etc. Afterward also Innocent took the side of this brotherhood once more. He charged the Archbishops of Narbonne, Tarragona, and Milan, as well as their suffragans (*lib. xiii. ep. 63*), quatenus ipsis—caritative tractantes,

more in their anti-hierarchical system,²⁸ and to place their doctrine

non permittatis, eos aut illos, qui suum ipsis intuitu caritatis impenderint beneficium,—a quoquam temere molestari. He forbade, ep. 77, *ad Durandum et fratres*, ut nullus vobis quilibet violentia vel surreptionis astutia in Praepositum p[ro]aeferatur, nisi quem vos cum consilio dioecesani Episcopi—duxeritis eligendum; and rebuked the above-named bishops, ep. 78, for lingering over the reconciliation of those, qui sub praescripta forma reconciliari Ecclesiae proposcerunt. Similar protection he afforded to these Pauperibus Catholicis lib. xv. ep. 82, 90–96.—To a second society of Waldenses, under Bernardus Primus, who were received back upon the same confession of faith, lib. xiii. ep. 94, the same *Propositorum conversationis* was allowed lib. xv. ep. 137, but with this alteration: Religiosum et modestum habitum ferre decrevimus, qualem ex voto consuevimus deportare, utendo de caetero calciamentis communibus, ad consilium et mandatum summi Pontificis, pro tollendo scandalo, quod contra nos movebatur de calciamentis desuper apertis, quibus uti hactenus solebamus. Innocent recommended this society also to the Bishop of Cremona, lib. xv. ep. 146. On this compare also Chron. Ursperg. ad ann. 1212; see above, § 68, note 2. It is sufficiently plain from this that Innocent III. would have treated Peter Waldus in a different manner from that adopted by Lucius III.: perhaps the reason may here be found why S. Francis also did not become a heretic. This society, however, soon came to an end: Hist. gén. de Languedoc, iii. 148.

²⁸ Concerning their doctrine in the 13th century, see Rainerii Summa in Martene Thes. v. 1775: Dividitur haeresis in duas partes. Prima pars vocatur *Pauperes Ultramontani* secunda vero *Pauperes Lombardi*, et isti descenderunt ab illis. Primi, scilicet *Pauperes Ultramontani*, dicunt, quod omne juramentum est prohibitum in novo Testamento tamquam mortale peccatum. Et illud idem dicunt de justitia saeculari, scilicet quod non licet Regibus, Principibus et Pontestatibus punire malefactores. Item quod simplex laicus potest consecrare corpus Domini, credo etiam, quod idem dicant de mulieribus, quia haec nonnisi (probably, hae non mihi) negaverunt. Item quod Ecclesia Romana non est Ecclesia Iesu Christi. *Pauperes Lombardi* concordant cum primis in juramento et justitia saeculari. De corpore vero Domini sentiunt etiam pejus quam primi, dicentes, quod concessum est cui libet homini sine peccato mortali consecrare illud. Item dicunt, quod Ecclesia Romana est Ecclesia malignantium, et bestia et meretrix, quae leguntur in Apocalypsi (Apoc. xiii. 17): et ideo dicunt, nullum esse peccatum, in quadragesima et sextis feriis contra praeceptum Ecclesiae comedere carnes, dummodo fiat sine scandalo aliorum. Item quod Ecclesia Christi permansit in Episcopis et aliis Praelatis usque ad b. Sylvestrum, et in eo defecit, quousque ipsi eam restaurarunt: tamen dicunt, quod semper fuerunt aliqui, qui Deum tumebant et salvabantur. Item dicunt, quod infantes salvantur sine baptismo. The German reviser of Rainer's Summa gives a much more lengthened representation of the Waldensian opinions, but it is full of tautologies. What follows may serve as a completion of what is given above (Pseudo-Rainerius, c. 3, in the Bibl. PP. Lugd. xxv. 264 ss.): Dicunt, quod Romana Ecclesia—defecerit sub Sylvestro, quando venenum temporalium infusum est in Ecclesiam. Et dicunt, quod ipsi sunt Ecclesia Christi, quia Christi doctrinam, Evangelii et Apostolorum, verbis et exemplis observent;—quod ipsi sint vere pauperes spiritu, et persecutionem patiuntur propter justitiam et fidem;—quod nemo major sit altero in Ecclesia;—quod decimae non sint dandae; quod Clerici possessiones non debeant habere, because of Deut. xviii. 1. Item omnem Clerum damnant propter otium, dicentes eos manibus debere operari, sicut Apostoli fecerunt.—Item quod nullus sit cogendus ad fidem.—Item dicunt, quod observantiae, per homines religiosos factae, sint traditio[n]es Pharisaeorum;—quod ablutio, quae datur infantibus, nihil prosit.—Item omnes exorcismos et benedictiones baptismi reprobant. Item sacramentum Confirmationis reprobant. Mirantur etiam, quare solis Episcopis licet confirmare. Item de sacramento Eucharistiae dicunt, quod sacerdotes in mortali non possint confidere. Item dicunt, quod transsubstantiatio non fiat in manu indigne conscientis, sed in ore digne sumentis, et quod confici possit in mensa communi (according to Mal. i. 11). Item quod semel in anno fideles communicant, hoc reprobant, quia ipsi quotidie communicant. Item dicunt, quod

and ecclesiastical constitution on a more independent footing.²⁹

transsubstantiatio fiat per verba vulgaria. Item dicunt, quod Missa nihil sit, quia Apostoli eam non habebant, et fiat propter quaestum. Item Canonem Missae non recipiunt, nisi tantum verba Christi vulgariter.—De sacramento poenitentiae dicunt, quod nullus possit absolviri a malo sacerdote; item quod bonus laicus potestatem habeat absolvendi (they taught, for instance, according to the expression of a Waldensian woman, in the year 1321, in the *Liber sententiuarum*, p. 290, which is to be found at the end of *Limborsch. Hist. Inquis.* quod solus Deus absolvit de peccatis, et ille, cui fit confessio peccatorum, solummodo dat consilium, quod debeat homo facere, et injungit poenitentiam, et hoc potest facere homo sapiens et discretus, sive sit sacerdos, sive non).—Item sacramentum conjugii damnant, dicentes, mortaliter peccare conjuges, si absque spe proliis convenient.—Item gradus affinitatis et consanguinitatis carnalis et spiritualis, quos Ecclesia instituit, et impedimenta Ordinis, et publicae honestatis, et Ecclesiac vettum spernunt. Item quod Ecclesia erraverit dicunt, matrimonium clericis prohibendo, cum etiam Orientales contrahant. —Sacramentum unctionis etiam reprobant, quia tantum divitibus datur, et propter plures sacerdotes ibi necessarios. Item Sacramentum Ordinis dicunt nihil esse. Item dicunt, quod omnis laicus bonus sit sacerdos, sicut Apostoli laici erant.—Item quod latina oratio laicis non prospicit.—Item quidquid praedicatur, quod per textum bibliae non probatur, profabulis habent. Item dicunt, quod sacra Scriptura cundem effectum habeat in vulgari, quem in latino. Unde etiam conficiunt in vulgari, et dant Sacraenta. Item Testamenti novi textum, et magnam partem veteris vulgariter sciunt corde. Item Decretales, et Decreta, et dicta, et expositiones Sanctorum respnuunt, et tantum inherent textui.—Nullum Sanctum invocant, nisi Deum solum. Item canonizationes, translationes, et vigilias Sanctorum contemnunt.—Item letaniam numquam legunt, legendas Sanctorum non credunt; item miracula Sanctorum subsannant; item reliquias Sanctorum contemnunt. Item sanctam cruem reputant ut simplex lignum. Item signum sanctae crucis horrent propter supplicium Christi, nec unquam signant se. Item dicunt, quod doctrina Christi et Apostolorum sine statutis Ecclesiae sufficiat ad salutem; quod traditio Ecclesiae sit traditio Pharisaeorum.—Item mysticum sensum in divinis Scripturis refutant praecipue in dictis et actis ab Ecclesia traditis: ut quod gallus super campanile (belfry) significat Doctorem.—Omnes consuetudines Ecclesiac approbatas, quas in Evangelio non legunt, contemnunt, sicut festum luminum, palmarum, reconciliationem poenitentium, adorationem crucis in Parasceue, festum Paschae, Christi et Sanctorum festa spernunt propter multiplicationem festorum, et dicunt, quod unus dies sit sicut aliis.—Derident Ecclesiam muratam, reputant ut horreum, et appellant eam vulgariter *Stonehouse*.—Item ornatum Ecclesiae dicunt esse peccatum, et quod melius esset vestire pauperes, quam ornare parietes. Item de altari dicunt, quod damnum sit, pannum putrescere super lapide.—Item conficiunt in *picario* (goblet) pro calice.—Item dicunt, quod exequiae mortuorum, Missae defunctorum—non prosint animabus.—Negant Purgatorium, dicentes, tantum duas vias esse, scilicet unam electorum ad caelum, aliam damnatorum ad infernum, Eccl. xi. 3: *Lignum quocunque ceciderit, ibi erit.* Si enim est bonus, non indiget suffragio: si est malus, nihil prodest. Item dicunt, quod omne peccatum sit mortale, et nullum veniale. A catalogue of Waldensian doctrines, from a manuscript at Vienna, in J. Krone's *Fra Dolcino and the Patarenians*, s. 201.—Yvonetus in Martene Thes. v. 1779, in his description of the Waldenses, attributes to them also many Catharic doctrines and customs; but the distinction between the Cathari and the Waldenses seems to me so manifest, that I can give no credit to this witness, standing as he does quite alone; neither can I adopt the distinction made by Fuessli, i. 460, with reference to this, between the pure and mixed Waldenses. This, however, is worthy of more attention, that Stephanus de Borbone (in *d'Argentré*, i., 87) attributes to his Waldenses, besides their ancient doctrines, the opinions of the sect of the Free Spirit also, and indeed with a direct appeal to their own words, see below, note 33.

²⁹ In the old documents of the Waldenses their teachers are called Barbas (*lo Barba* means the uncle, Leger, i. 205). These Barbas, who, like Peter Valdensis and his first disciples, went about teaching, may have been outwardly much like the Perfecti of the Ca-

The more plainly their deviation from the doctrine of the Church could be vindicated as a purification of the same, the more easy acceptance they found with their thoughtful contemporaries. As early as the 13th century they appeared in the valleys of Piedmont,³⁰ in which they have maintained themselves until now.

thari, and so Yvonetus represents them in Martene Thes. v. 1781 : Duo sunt genera sectae ipsorum. Quidam dicuntur perfecti, et hi proprie vocantur *Povres Valdenses de Lyon*, nec omnes ad hanc formam assumunt, sed prius diu informantur, ut et alios sciant docere. Hi nihil proprium dicunt se habere, nec domos, nec possessiones, nec certas mansiones. Conjuges si quas ante haberent, relinquunt. Hi dicunt se Apostolorum successores, et sunt magistri eorum, et confessores, et circumdeunt per terras visitando et confirmando discipulos in errore. His ministrant discipuli necessaria.—Vadunt etiam in diversis habitibus vestium isti curatores ne agnoscantur : et cum transeunt quandoque de domo in domum, aliquod onus deferunt in capite paleae, vel vasis.—Solent etiam tales mansiones habere in locis, ubi habent studia sua, vel celebrant conventicula, quae circumquaque aliis sunt inaccessibles, ne prodantur, ut in foveis subterraneis vel aliter sequestratis. Noctibus autem maxime hujusmodi conventicula frequentant, etc. The Catholic hierarchy, and its pretension to a mediatorial character ordained by God, they rejected. To this the Pseudo-Rainerius, c. 5, probably alludes : nomina Praelatorum reprobat, sicut Papa, Episcopi, etc. Still they were obliged to allow bishops, priests, and deacons, if they wished to imitate the apostolic communities, and so in the above mentioned place, but farther on, we find : Item peregrinantur, et ita Lombardiam intrantes visitant Episcopos suos. In the year 1321, a Waldensian declared (Lib. sentent. at the end of Limborch, p. 290), quod in Ecclesia non sunt nisi tres Ordines, episcopalis, sacerdotalis et diaconalis. In the same place, p. 289, 290, 291, there occurs more than once the title Majoralis, which they probably used instead of Episcopus. Moneta, lib. v. c. 1, § 4, p. 402 : Ordinem ecclesiasticum ipsi ad minus triplicem confitentur, scil. Episcopatum, Presbyteratum et Diaconatum, sinc quo tripli Ecclesia Ordine Dei non potest esse, nec debet, ut ipsi testantur. Dicamus ergo eis : si Ecclesia Dei non est sine istis Ordinibus, vestra autem generatio sine eis est ; ergo non est de Ecclesia Dei. Si autem dicant : nostra generatio illos Ordines habet ; quaero : a quo habuit ? quis enim est Episcopus vester ? Si dicant : talis homo ; dicite : quis ordinavit eum ? Si dicunt : quidam ; quaero etiam : quis istum alium ordinavit ? Et sic ascendendo compellentur usque ad Valdesium venire. Postea querendum est : unde iste Ordines habuit ? When the answers of the Waldenses were given and refuted : quidam dixerunt, quod Valdesius Ordinem habuit ab universitate fratrum suorum. Eorum autem, qui hoc dixerunt, principialis auctor fuit quidam haeresiarcha pauperum Lombardorum, Doctor perversus, Thomas nomine : hoc autem probare taliter natus est : Quilibet de illa congregazione potuit dare Valdesio jus suum, scil. regere scipsum, et sic tota congregatio illa potuit conferre, et contulit Valdesio regimen omnium, et sic creaverunt illum omnium Pontificem et Praelatum. A more common answer may be seen, p. 404 : Dicunt autem haeretici, quod sicut Moyses in V. T. a nullo homine ordinatus fuit sacerdos, et tamen fuit sacerdos,—et aliis sacerdotium contulit,—similiter autem et Paulus fuit Sacerdos et Episcopus, sicut et alii Apostoli omnes,—et tamen a nullo homine ordinatus ;—ita etiam et Valdesius et Ordinem habuit, et aliis conferre potuit. Hence it is plainly evident that the Waldenses of the 13th century neither thought of referring their origin farther back than Valdesius, nor of tracing their episcopate to an apostolical succession. From this we may ascertain the sense of the claims of the bishops of the Bohemian brothers and the Herrnhuters to apostolical succession, for they derive them from the old Waldensian bishops.

³⁰ Jul. Krone (Frà Dolcino u. die Patarener, Leipzig, 1844, S. 22, Anm.), communicates the following extracts from the original deeds in the Archives of Turin: 1297. Philippus (d'Acaya) libravit inquisitori Vaudensium pro medietate expensarum per eundem inquirendo Valdenses in valle Peruxiae (*Perosa*). Otto (IV.), Rom. Imp. Episcopo, etc.,

Not only did they spread in other countries, particularly in Germany,³¹ but they also put in circulation among numbers who did not come over to their society ideas unfavorable to the prevailing faith of the Church.³²

Besides the old sects new ones were engendered in the 13th century. The pantheistic system introduced by Amalric of Bena (§ 74, notes 10, 11), after the persecution it underwent in Paris in the year 1210, only spread more widely than before. In the course of the 13th century its disciples might be found in different places.³³ At the end of this century they were already so numerous, quatinus haereticos Valdeses, qui in Taurin. diocesi zizaniam seminant, imperiali auctoritate expellas.

³¹ Conrad of Marburg persecuted also the Waldenses, see § 89, note 35. Afterward they were to be found in the region of Ratisbon, see the document of the year 1265, in Thom. Ried codex chronologico-diplomaticus Episcopatus Ratisbonensis (Ratisb. 1816. 4), i. 481: Chunradus viceplebanus in Nitnaw, per quem inventi sunt et comprehensi haeretici sectae Pauperum de Lugduno.

³² Pseudo-Rainerius, c. 4 (Bibl. PP. Lugd. xxv. 264): sectae haereticorum fuerunt plures quam lxx., quae omnes per Dei gratiam deletae sunt praeter sectas Manichaeorum, Arianorum, Runcariorum et Leonistarum, quae Alemannian infecerunt. Inter omnes has sectas, quae adhuc sunt, vel fuerunt, non est perniciosior Ecclesiae, quam Leonistarum. Et hoc tribus de causis. Prima est, quia est diuturnior: aliqui enim dicunt, quod duraverit a tempore Sylvestri; aliqui, a tempore Apostolorum. Secunda, quia est generalior: fere enim nulla est terra, in qua haec secta non sit. Tertia, quia, cum omnes aliae sectae immanitatem blasphemiarum in Deum audientibus horrorem inducant, haec, scil. Leonistarum, magnam habet speciem pietatis, eo quod eorum hominibus juste vivant, bene omnia de Deo credant, et omnes articulos, qui in Symbolo continentur: solummodo Romanam Ecclesiam blasphemant et Clerum, cui multitudo laicorum facilis est ad credendum. Their way of approaching Catholic laymen and winning them over to themselves is portrayed in Pseudo-Rainerius, c. 8, and Yvonetus in Martene Thes. v. 1782.

³³ This is, in my opinion, the true origin of the sect of the Free Spirit, to which Mosheim (Institutt. hist. eccl. p. 555, not. t), according to a vague conjecture, assigns its origin in Italy. My opinion is grounded on these reasons: that Amalrick's doctrine quite agrees with the tenets of this party; that, before Amalrick, these opinions were never brought forward as the tenets of a sect, but after him often; that, soon after his death, adherents to his doctrine were to be found in several dioceses (Caesar. Heisterbac. lib. v. cap. 22, says of its emissaries: circuerunt Episcopatum Parisiensem, Lingonensem, Trecensem, et Archiepiscopatum Senonensem in tribus mensibus, et quam plurimos de eorum secta invenerunt); and that the wide spread of the doctrine may be easily accounted for by the persecution in Paris (see above, § 74, note 10). For (1) the sect made its appearance under the name of Ortlibenser in Strasburg, in the year 1212. For the German Pseudo-Rainerius, c. 6 (Bibl. PP. xxv. 266), describes a sect under the name Ortlibenses or Ortlibarii (this the true reading according to Cod. Lamb. see l. c. p. 311, instead of Ordibarii) which evidently agrees with the doctrine of Amalrick and the sect of the Free Spirit. Now we find in a paragraph appended to this Pseudo-Rainerius (l. c. p. 277): Dicere hominem debere ab exterioribus abstinere, et sequi responsa spiritus intra se, haeresis est eujusdam Orteni (so should we read with Cod. Lamb. instead of Orcleni), qui fuit de Argentina, quem Innocentius III. condemnavit. Here, as we recognize a characteristic doctrine of that system, so we may venture to place these Ortlibenser in close connection with this heresiarch, and to read its name Orteni in that passage, the rather that the name Ortlieb or Ortleb often occurs (see, for instance, Schoepflii Alsatia diplom. in the Index:

at Nuremberg, in the 13th century, there was a family of the name Ortlieb, see Riederer's Nachrichten zur Kirchen-, Gelehrten-, u. Büchergeschichte, iii. 4), but not one single name Ortlein or Ortlin. The Annales Argentinenses ad h. a. in Bohmer's Fontes rerum German. ii. 104 (a castigated edition of an uncertain author before Albertus Argentin, in Urstius, ii. 74), and many subsequent chroniclers, see Schmidt in Illgen's Zeitschr. für d. hist. Theol. 1840, iii. 34, record also the burning of several heretics at Strasburg in the year 1215. According to this view, the Ortliebenses are a number of disciples of Amalric at Strasburg, called after their local chief Ortlieb, who was probably the first to introduce the new doctrine there and had won adherents to it.—(2) With this agrees the notice of Hartmannus in annalibus Eremi ad ann. 1216 (in Fuessli, ii. 6): Sub idem tempus in Alsacia et etiam in Turgovia haeresis nova et pudenda emersit adserentium carnium et aliorum ciborum esum quocunque die et tempore, tum vero omnis veneris usum nullo piaculo contracto licitum et secundum naturam esse. This last tenet is characteristic of the sect of the Free Spirit: hence, this sect had spread itself from Strasburg into the rest of Alsace and Turgau.—Further still, (3) the sect showed itself about 1250 in Cologne, according to J. Nideri († 1438), formicarius lib. iii. c. 5, who refers on this head to Albertus Magnus as a contemporary, see Mosheim de Beghardis et Beguinibus, p. 198.—(4) About 1260, it appeared among the Beghards in Suabia, see Martini Crusii († 1607) annales Suevici, P. III. lib. ii. c. 14, ad ann. 1261, who appeals to Felix Faber, a writer of the 15th century, see Mosheim, l. c. p. 199.—(5) It is especially worthy of notice that, in the year 1230, they appear to have crept in among the Waldenses in Lyons. Stephanus de Borbone, in d'Argentré, I. 87, brings forward a medley of the doctrines of the Waldenses, and the sect of the Free Spirit, as the system of the Waldenses: likewise the Appendix of the Codex Cadomensis to Rainerii Summa (in d'Argentré, i. 56), which, however, is probably derived from Stephanus. Doctrines, evidently those of the sect of the Free Spirit, are to be found in Stephanus: animam primi hominis esse divinae substantiae portio nem.—Concedunt *fere omnes*, quod anima cuiuslibet boni hominis sit ipse Spiritus sanctus, qui est Deus:—quo peccante egreditur, et subintrat Diabolus.—Item spiritus hominis, ex quo bonus est, si moritur, est idem quod spiritus Dei, et ipse Deus.—Dicunt plurimi eorum, sicut audivi per confessionem multorum magnorum inter eos, quod quilibet bonus homo sit Dei filius, sicut Christus eodem modo.—Et cum dicunt, se credere incarnationem, nativitatem, passionem, resurrectionem Christi, dicunt, quod illam credunt veram conceptionem Christi, nativitatem, passionem, et resurrectionem, et ascensionem, cum bonus homo concipitur, nascitur, resurget per poenitentiam, vel ascendit in caelum; cum martyrium patitur, illa est vera passio Christi.—Item haec est Trinitas, quam, vel in qua credunt, ut sit Pater, qui alium in bonum convertit; qui convertitur, Filius; id per quod convertit, et in quo convertitur, Spiritus sanctus, et hoc intelligunt, quando dicunt, se credere in Patrem, Filium, et Spiritum sanctum, etc. Since Stephanus expressly refers to the confession of single leaders, his statements are not easy to refute. There is also ground for believing that the mutual rejection of the whole Catholic church-system, and the common persecution they had to undergo, first drew both parties outwardly together; that then the doctrines of the Free Spirit found acceptance among the Waldenses, at first as mystical expressions for the union of the soul with God and Christ; and that at last the advance from this mysticism to pantheism (as may be shown by the example of other mystics) was facilitated by the lack of a speculative development of the Waldensian system. The practical principles of immorality which prevailed in the sect of the Free Spirit were not laid by Stephanus to the charge of the Waldenses. A similar confusion of the Waldensian maxims with those of the Free Spirit, and equally immoral, is attributed, in Trithem. annal. Hirsaug. i. 543, to the Strasburg heretics of the year 1230 (see Schmidt in Illgen's Zeitschr. 1840, iii. 54): his authority certainly is too modern; however, there are some Waldensian maxims to be found in the collection of the doctrines of the sect of the Free Spirit (see note 35), made by John, bishop of Strasburg, in 1317. In conclusion, the Libertines in Calvin's time, the remnant of the party of the Free Spirit, appealed to the Waldenses (Calvini instructio adv. Libertinos, c. 23, in fine): so it seems as if they had always stood in some relation to the Waldenses.

merous among the Beghards,³⁴ on the Rhine, that the people understood them alone to be meant by the name of Beghards, although they called themselves Brothers and Sisters of the Free Spirit.³⁵

³⁴ See above, § 71, note 11.

³⁵ On these, see Statuta Henrici I. Archiep. Coloniensis contra Beccardos, ann. 1306 (in Mosheim de Beghardis et Beguinibus comm. p. 210); Clementis V. bulla contra Beghardos in Alemannia, ann. 1311 (Clement. lib. v. tit. 3, c. 3, in Mosheim, l. c. p. 618); Joannis Episc. Argentinensis epist. circularis, ann. 1317 (in Mosheim, l. c. p. 255). In this last, the errors of those, quos vulgus *Begehardos et Schwestrones, Brod durch Gott* (they begged their bread for God's sake, not as was the custom elsewhere for St. Nicholas', St. Peter's, or at most our dear Lady's sake, see Specklin in Schmidt, in Illgen's Zeitschr. 1840, iii. 36), nominant, ipsi vero et ipsae se *de secta liberi spiritus, et voluntariae paupertatis parvos fratres vel sorores vocant*, are given to the following effect: *Primus est contra divinitatem*. Dicunt enim, credunt et tenent, quod Deus sit formaliter omne quod est. Item dicunt, quod homo possit sic uniri Deo, quod ipsius sit idem posse ac velle et operari quocunque, quod est ipsius Dei. Item credunt, se esse Deum per naturam sine distinctione. Item quod sint in eis omnes perfectiones divinae, ita quod dicunt, se esse aeternos et in aeternitate. Item dicunt, se omnia creasse, et plus creasse, quam Deus. Item, quod nullo indigent nec Deo, nec Deitate. Item, quod sunt impeccabiles, unde quemcunque actum peccati faciunt sine peccato. Item, quod sunt ipsum regnum caelorum. Item, quod sunt etiam immutables in nona rupe, quod de nullo gaudent, et de nullo turbantur, unde se ipsos nollent a quacunque morte solo verbo, si possent, liberare. *Secundo contra Christum*. Dicunt se credere, quod quilibet homo perfectus sit Christus per naturam. Item, quod Christus non est passus pro nobis, sed pro se ipso. Item, quod Christi humanitas a Christo deponitur et assumitur, sicut corpus a diabolo. Item non exhibent reverentiam corpori Christi, avertendo se ab hostia consecrata, et blasphemando dicunt, quod sapiat eis, sicut stercus in ore. Item dicunt, se credere, quod aliquis homo possit transcendere meritum Christi. Item, quod nihil debeat fieri propter praemium quocunque, etiam propter regnum caelorum. Item, quod homo perfectionis debet esse liber ab omni virtute, ab omni actione virtutis, a Christo, ab ejus passione cogitanda, et a Deo. *Tertio contra Ecclesiam*, multipliciter errando. Dicunt enim, se credere, Ecclesiam catholicam, sive Christianitatem fatuam esse, vel fatuitatem. Item, quod homo perfectus sit liber in totum, quod tenetur ad servandum praecepta data Ecclesiae a Deo, sicut est praeceptum de honoratione parentum in necessitate. Item, quod in ratione hujus libertatis homo non tenetur ad servandum praecepta Praelatorum, et statutorum Ecclesiae: et hominem fortē, etsi non religiosum, non obligari ad labores manuales pro necessitatibus suis, sed eum libere posse recipere eleemosynam pauperum. Item dicunt, se credere, omnia esse communia, unde dicunt, furtum eis licitum esse. *Quarto contra sacramenta Ecclesiae* errando, dicunt se credere, quod quilibet laicus bonus potest confidere corpus Christi, sicut sacerdos peccator (this is a Waldensian tenet, see above, note 28). Item, quod sacerdos, postquam exiit se sacris vestibus, est sicut saccus evacuatus frumento. Item, quod corpus Christi aequaliter est in quolibet pane, sicut in pane sacramentali. Item, quod confiteri sacerdoti non est necessarium ad salutem. Item, quod corpus Christi, vel sacramentum Eucharistiae sumere per laicum tantum valet pro liberatione animae defuncti, sicut celebratio Missae a sacerdote. Item, quod omnis concubitus matrimonialis praeter illum, in quo speratur bonus prolis, sit peccatum (this again is Waldensian). *Quinto errando contra infernum et regnum caelorum*, dicunt se credere, quod judicium extremum non sit futurum, sed quod tunc est judicium hominis solum, cum moritur. Item, quod non est infernus, nec purgatorium. Item, quod, mortuo corpore hominis, solus spiritus vel anima hominis redibit ad eum, unde exiit, et cum eo sic reunietur, quod nihil remanebit, nisi quod ab aeterno fuit, Deus. Item, quod nullus damnabitur nec Judaeus, nec Saracenus, quia, mortuo corpore, spiritus redibit ad Dominum. Item, quod homo magis tenetur sci qui instinctum interiore, quam veritatem Evangelii, quod quotidie praedicatur. *Sexto errando contra Evangelia* dicunt, se credere, multa ibi esse poetica, quae non sunt vera,

In the beginning of the 14th century they made their appearance also in Italy.³⁶

Other sects passed quickly away. As the universal discontent at the advancing tyranny of the hierarchy aroused isolated cases of revolt in England³⁷ and in France,³⁸ so the ill usage of the Hohenstaufen family gave rise to a sect in Hall, in Suabia (about 1248),³⁹ which declared that the hierarchy had forfeited all eccl-

sicut est illud: *Venite, benedicti, caet.* Item, quod magis homines debent credere humanis conceptibus, qui procedunt ex corde, quam doctrinae evangelicae. Item dicunt, aliquos ex eis posse meliores libros reparare omnibus libris catholicae fidei, si fuerint destructi. Item, quod pro illis, qui sunt in purgatorio, non sit orandum. *Septimo et ultimo contra sanctos viros errando dicunt, se credere, quod perfecti homines communiter transcendere possint, et perfectiores sunt gloria Virgine, et quosdam eam transcendisse in tribus virtutibus.* Item, quod communiter aliqui inter eos perfectiores sunt s. Paulo. Item, quod quidam ex eis adeo sunt perfecti, ut non possint deficere, nec proficere in sanctitate. Item, quod perfectus homo non indigat in hac vita virtutibus theologicis, sicut fide, spe, et caritate.

³⁶ Clemens V. epist. ad Episc. Cremonensem in Raynaldus, ad ann. 1311, no. 66, writes, in nonnullis Italiae partibus, tam Spolestanae provinciae, quam etiam aliarum circumiacentium regionum, nonnullos ecclesiasticos et mundanos, religiosos et saeculares utriusque sexus—versari, qui — novum ritum — introducere moliantur, quem libertatis spiritum nominant, h. e. ut quicquid eis libet licet.

³⁷ Matth. Paris ad ann. 1240, p. 533: Diebus illis quidam quasi honestae vitae ac severae vir, habitum et gestum praetendens Ordinis Carthusiensis, captus est apud Cantabrigiam, nolens intrare Ecclesiam aliquam. He was handed over to the Papal legate in London. Palam enim asseruit, dicens: *Gregorius non est Papa, non est caput Ecclesiae: sed aliud est caput Ecclesiae.* *Ecclesia profanata est, nec debent in ea divina celebrari, nisi rededicata fuerit.* *Vasa et vestimenta ejus reconsecranda sunt.* *Diabolus solitus est: Papa haereticus.* *Polluit Ecclesiam, imo mundum, Gregorius, qui Papa dicitur.* When the legate reminded him of the Pope's privilege, ut vices b. Petri exequatur in terris, he answered, *Quomodo possem credere, quod cuidam Symoniali et usurario, et forte majoribus facinoribus involuto, concedatur talis potestas, qualis concessa fuit b. Petro, qui immediate factus est Apostolus, sequutus est Dominum, non tantum incessu pedum, sed virtutum claritate?* Ad quod verbum erubuit Legatus, et ait quidam de circumsedentibus:

Stulto rixandum non est, furno nec hiandum.

³⁸ Comp. above, § 63, note 28, § 86, note 8. Besides the rising of the Pastorelli, see Vita Innocentii P. IV. ex ms. Bernardi Guidonis (in Muratorii scriptt. rer. Ital. iii. i. 591): Eodem tempore quo Rex Ludovicus captus et detentus fuit sub anno MCCLI. quibusdam Trutannis (wandering beggars, see Mosheim de Beghardis, p. 35) machinantis facta est subito crucesignatio Pastorellorum, et puerorum multorum ac puellarum in regno Franciae, quorum aliqui pestiferi inventores istius fraudis fingebant aliquos ex eis pueris, se visionem Angelorum vidisse, miracula facere, et ad uleiscendum Regem a Deo missos esse. Inter quos erant, qui se magistros vocabant, quibus caeteri obediebant, qui per vias, et villas, et civitates more Episcoporum signabant, aquam etiam benedictam Gregorianam in ipsa civitate Parisiensi fecerunt, matrimonia conjunxerunt, Religious et Clericos ubique potenter gravabant, alios spoliantes, alios verberantes, alios occidentes; nec erat qui compesceret malignantes, aut resisteret in virtute. Universus autem populus eis favebat, aliqui quia haec fieri, et ad bonum finem per ventura spectabant (*l. sperabant*), plurimi autem et paene universi, qua de persecutione clericorum gaudebant. Sed postquam coepit detegi fraus interiorum (the inward, unseen relation), infra breve tempus sicut fumus evanuerunt. More in detail, Matth. Paris, ann. 1251, p. 822 ss.

³⁹ Albertus Stadensis, ad h. a. Anno Dom. 1248, cooperunt in Ecclesia Dei mirabiles

siastical authority in consequence of its moral corruption. After the extermination of the Hohenstaufen family, the detestation caused by this deed of the hierarchy was maintained for centuries by the expectation that at some time an Emperor Frederick would wreak vengeance in blood on the Papacy.⁴⁰ This expectation also

et miserabiles haeretici pullulare, qui pulsatis campanis, et convocatis Baronibus et Dominis terraे in Hallis Suevorum sic praedicarunt in publica statione. Primo quod Papa esset haereticus, omnes Episcopi et Praelati simoniaci et haeretici, inferiores quoque Prelati cum Sacerdotibus, quia in virtus ac peccatis mortalibus non haberent auctoritatem ligandi ac solvendi, et omnes isti seducerent et subduxissent homines. Item quod Sacerdotes in peccatis mortalibus constituti non possint confidere. Item quod nullus vivens, nec Papa, nec Episcopi, nec aliqui possint interdicere divina, et qui prohiberent, essent haeretici et seductores. et licentiaverunt in civitatibus interdictis, ut Missas audirent super animas ipsorum et Sacraenta ecclesiastica libere perciperent, qui ipsis perceptis mundificarentur a peccatis. Item quod Praedicatores, et Fratres Minores perverterent Ecclesiam falsis praedicationibus, et quod omnes Praedicatores, et Fratres Minores, Cistercienses quoque, et omnes alii pravam vitam ducerent et injustam. Item quod nullus esset, qui veritatem diceret, et qui veram fidem opere servaret, nisi ipsi et eorum socii, et si ipsi non venissent antequam Deus in periculo demisisset suam Ecclesiam, prius ipsos de lapidibus suscitasset, vel alios, qui Ecclesiam Dei vera doctrina illuminassent. Praedicaverunt etiam : *Hucusque vestri praedicatores sepeliverunt veritatem, et praedicaverunt falsitatem; nos sepelimus falsitatem, et praedicamus veritatem.* Et porro : *indulgentiam, quam damus vobis, non damus fictam vel compositam ab Apostolico vel Episcopis, sed de solo Deo et Ordine nostro.* Et sic : *non audiemus habere memoriam Papae, quia ita perversae vitae est, et tam malo exempli homo, quod cum tacere oportet.* Et blasphemando adjecit idem praedicator : *Orate, inquit, pro domino Friderico Imperatore, et Conrado, filio ejus, qui perfecti et justi sunt.* Item dixit, quod Papa non haberet auctoritatem ligandi et absolvendi, quia non haberet vitam apostolicam, et hoc probare vellet per quandam glossulam. Isto haereticos fovit et defendit Conradus, filius Friderici, Imperatoris quondam, et patrem suum per talia venena credit defensare. Sed res lapsa est in contrarium, quia catholicis praedicatoribus audacter resistantibus, et fideles exhortantibus, liberi et ministeriales a Conrado cesserunt, ita quod quasi exul et profugus de Suevia in Bavaria moraretur. Krantz, Metrop. lib. viii. c. 18, and Saxon. lib. viii. c. 16, quotes only this passage. Fuessli, ii. 14, considers these preachers to be Waldenses, not without probability.

⁴⁰ At first there was a hope in Germany that Frederick II. yet lived, and would appear again (Jo. Vitoduranus in Eccard corpus histor. mediæ aevi i. 1741) : hence arose from 20 to 30 pretended Fredericks. Compare the opinion of the people on one such impostor, who was burned to death at Wetslau in the year 1283, in Greg. Hagen's osterreich Chronik (Pezii scriptt. rer. Austr. T. i. p. 1105) : Nu hub sich unter dem Volk ain groszer widertail. Etleich sprachen, er wer gewesen ain Nigromantieus ; die andern sprachen, sie funden in dem Fewr nicht seines Gebaines, und chem her von Gotes chraft, daz Cheiser Friderich lebte, und solt die Pfaffen vertreiben. Then the prophecy, attributed to the Abbot of Joachim, spread more and more for centuries, that an Emperor Frederick III. should take this vengeance. In one of its simplest forms, even in the 13th century, it runs thus : Veniet aquila, de cuius volatu delebitur leo. Veniet pullus aquilæ et nidificabit in domo leonis. De radice aquilæ surget aliis aquila cuius nomen Fridericus, qui egnans regnabit extendetque alas suas usque ad fines terrae. Cuius sub tempore summus Pontifex et Clerus dilapidabit et dispergetur. On the accretions to this prophecy, see Mosheim's Versuch einer unpart. u. grndl. Ketzergeschichte, 2te Aufl. s. 342 ff. Sibylline prophecies in German verse may be seen in Grimm's deutsche Mythologie, 2te Augs. II. 909. With this agree the popular legends, that the Emperor Frederick (generally Barbarossa, Frederick I. and II. are confounded in the legends) is sleeping in a mountain (Kifhauser, a hill near Salzburg, etc.), Grimm, ii. 906.

found place among the manifold superstitions, chiefly borrowed from the Fraticelli, with which the Apostolic Brothers,⁴¹ from 1260 to 1307, disquieted the north of Italy.

⁴¹ The Principal sources : *Historia Dulcini*, and *Additamentum ad hist. Dulcini in Muratori scriptt. rer. Ital. ix. 425.*—J. L. v. Mosheim's *Gesch. des Apostelordens*, in his *Versuch einer unparteiischen und gründl. Ketzergesch.* 2te Aufl. Helmst. 1748. 4. s. 193 ff. There are some additions on the after fate of the party in his work, *de Beghardis et Beguinibus comm. p. 221.* *Frà Dolcino und die Patarcener von Jul. Krone*, Leipzig, 1844.—The founder, Gerhard Segarelli, began about 1260 in Parma, as Francis had done before him, but he with his apostles zealously denounced the secularized hierarchy. *Honorius IV.* in 1286 prohibited the new order (the bull may be seen in *Bullar. Rom.* i. 158, and in Mosheim's *Gesch. d. Apostelord. s. 391*) : during the persecutions which now began, Gerhard suffered death by fire in 1300 at Parma ; the more intelligent Dulcinus became the head of the society, and increased their superstition by apocalyptic prophecies to an indescribable fanaticism. Extracts from his two prophetical official epistles, from the years 1300 and 1303, may be found in the *Additamentum ad hist. F. Dulcini in Muratori scriptt. rer. Ital. ix. 450.* He announced in the first, that in the year 1303 a period should be inaugurated, *in quo ipse et sui publice apparebunt, et publice praedicabunt, omnibus suis adversariis exterminatis.*—He taught further, *quatuor status Sanctorum fuisse in propriis modis vivendi*, which at first were good in their kind, but afterward degenerated, and were displaced by a new state. In *primo fuerunt Patres veteris Testamenti*.—In the second, Christ and the apostles. *Tertius status coepit a s. Sylvestro tempore Constantini Imp. in quo Gentiles cooperunt magis ac magis converti ad fidem Christi generaliter.* Et dum sic convertebantur, et non refrigerabantur in amore Dei et proximi, melius fuit s. Silvestro Papae et alii successoribus suis possessiones terrenas et divitias suscipere, quam paupertas apostolica ; et melius fuit regere populum, quam non regere, ad tenendum ipsum sic et conservandum. Sed quando incepérunt populi refrigerari a caritate Dei et proximi, et declinavérunt a modo vivendi s. Silvestri, tunc melior fuit modus vivendi b. Benedicti.—Et quando Clerici et Monachi quasi ex toto a caritate Dei et proximi refrigerati fuerunt, et declinaverunt a priori statu suo, tunc melior fuit modus vivendi s. Francisci et s. Dominicī :—et quia modo est tempus, in quo omnes tam Praelati, quam Clerici et Religiosi a caritate Dei et proximi et refrigerati sunt, et declinaverunt,—est reformare modum vivendi proprium apostolicum :—et istum modum vivendi apostolicum incepit Fr. Gerardus, et durabit et perseverabit usque ad finem saeculi.—Et iste est quartus et ultimus status,—et differt a modo vivendi s. Francisci et s. Dominicī, quia vita illorum fuit, multas habere domus, et illuc mendicata deferre. Sed nos nec domus habemus, nec etiam mendicata portare debemus. Et propter hoc vita nostra est major, et ultima omnibus medicina. Ast erward he prophesied : *Fredericus Rex Siciliae debet relevari in Imperatorem, et facere Reges novos, et Bonifacium Papam pugnando habere, et facere occidi cum aliis occidentis.*—Tunc omnes Christiani crunt positi in pace, et tunc erit unus Papa sanctus a Deo missus mirabiliter et electus,—et sub illo Papa erunt illi, qui sunt de statu apostolico, et etiam alii de Clericis et Religiosis, qui unientur eis,—et tunc accipient Spiritus sancti gratiam, sicut acceperunt Apostoli in Ecclesia primitiva. Since these prophecies were not fulfilled in the year 1303, he extended them in the second brief to the year 1304. The third epistle is lost. The sources of these prophecies were undoubtedly the works of Joachim (see above, § 70, note 8), see Mosheim, s. 261 ff. The open warfare which the Apostolic brothers, after the year 1304, waged against the Roman Church was brought to an end in 1308 by the conquest of Mount Zebello, in the bishopric of Vercelli.

EIGHTH CHAPTER.

EXTENSION OF CHRISTIANITY.

Schröckh's Kirchengesch. xxv. 186. Schmidt's Kirchengesch. fortg. v. Rettberg, vii. 166.

§ 91.

CONTINUED CONVERSION OF THE WENDS.

As the Church of this age in general relied more upon secular than spiritual weapons, so she was accustomed to convert unbelieving nations with the sword instead of the Word.

The efforts of the Polish dukes, ever since the first subjugation of Lower Pomerania, about the year 997, to establish Christianity together with their dominion in this country,¹ were brought to a successful issue by Boleslav III. (Krzivousti), by his victory over the rebels in 1121.² In the same year, Boleslav wrung from the West Pomeranians also, and their Duke Wartislav, the promise to recognize Polish supremacy, and become Christians.³ Otto, bishop of Bamberg, who was invited to undertake the conversion of the country, had under these circumstances an easy task.⁴ In a few months of the year 1124, the greater portion of West Pomerania

¹ Martini Galli chron. (the most ancient Polish work on history about 1130) ed. J. V. Bandtkie. Varsav. 1824. 8. Prooem. p. 15: Ad mare autem septemtrionale tres habet (Polonia) affines Barbarorum gentilium ferocissimas nationes, Seleuciam (i. e. *Luticiam* s. *Luticiam*), Pomeraniam et Prussiam, contra quas regiones Polonorum Dux assidue pugnat, ut eas ad fidem convertat. Sed nec gladio praedicationis cor eorum a perfidia potuit revocari, nec gladio jugulationis eorum penitus viperalis progenies aboliri: saepe tamen Principes eorum a Duce Poloniae proelio superati ad baptismum confugerunt, itemque collectis viribus fidem christianam abnegantes, contra Christianos bellum denuo paraverunt. P. F. Kanngiesser's Geschichte v. Pommern. Bd. 1 (Greifswald, 1824), s. 290. F. W. Barthold, Gesch. v. Rugen u. Pommern, Thl. 2. Hamburg, 1840. C. Giesebricht's wendische Geschichte, v. 780–1182. Th. 2. Berlin, 1843. [R. Milman, Mitzlar, the Conversion of Pomerania, 8. Lond. 1854.]

² For Boleslav's wars against the Lower Pomeranians, see Kanngiesser, i. 363.

³ Kanngiesser, i. 508.

⁴ Libb. iii. de vita b. Ottonis by an anonymous writer shortly after his time, in Canisius-Basnage III. ii. 35. Andreeae Abb. Bambergensis (1483–1502) de vita s. Ottonis libb. iv. editi, cum libris comitis ejusdem s. Ottonis, quem Sifridum esse putant, collati a Valer. Jaschio, Colberg. 1681. 4. (reprinted in Ludewig scriptt. rer. Episcoporum Bamberg. i. 193). Much also is to be found on this head in the manuscripts of Bamberg, see Jack's Bericht in Oken's Isis, August, 1822, s. 827.—(J. J. Sell) Otto, bisch. v. Bamberg, der Pommern Bekehrer, Stettin, 1792. H. F. G. Kahlow de introductione religionis christ. in Pomeraniam diss. Goetting. 1806. 4. A. C. F. Busch memoria Othonis Ep. Bambergensis, Pomeranorum Apostoli. Jenae, 1824. Especially Kanngiesser, i. 522. Barthold, ii. 3.

was won over to Christianity, not so much inwardly as outwardly, by the influence of circumstances and by Otto's winning and reverend presence: in a second and still shorter visit, in the year 1128, Otto completed the conversion of the country. The newly-founded bishopric of Julin or Wolin⁵ was meant to insure its continuance.

After that the great kingdom of the Wends (see Part 1, § 39), upon the death of its last supreme ruler, Canute (1131), had fallen to pieces under the dominion of several princes, the neighboring Germans had an easier game to play against them. Albert the Bear, margrave of the North Saxons after the year 1133, vanquished the Lutizier or Wilzen, established the March of Brandenburg, restored the bishoprics of Havelberg and Brandenburg,⁶ and drew the Knights of St. John and the Templars into the country,⁷ for the protection and extension of Christianity. Since the year 1121, Vicelin had⁸ labored among the Obotrites in a more apostolical manner: he could not, however, achieve the conversion of Wagria until Adolphus, count of Schaumburg-Holstein, had made himself master of the country. After Henry the Lion, in 1142, had strengthened himself in the possession of the dukedom of Saxony, German sway and Christianity continued to advance farther among the northern Wends. In the year 1149 the bishoprics of Oldenburg (transferred to Lubeck in 1160)⁹ and Mecklenburg (transferred to Schwerin in 1165),¹⁰ and in 1154 the bishopric

⁵ Adelbert was appointed by Boleslav, in 1125, to be Bishop of Pomerania; in 1140 Julin was the seat of this bishopric (Kanngiesser, i. 681, 809. Barthold, ii. 120); in 1175, Camin (Barthold, ii. 244).

⁶ Helmoldi († 1170) chron. Slavorum (ed. Bangert, Lubec. 1659. 4.) lib. i. c. 49, 50, 62 ss. 88. Gebhardi's Gesch. aller wendisch-slavischen Staaten, i. 150. Chr. W. Spieker's Kirchen- u. Reformationsgesch. d. Mark Brandenburg, Thl. i. (Berlin, 1839) s. 49.—The aversion of the Wends in Havelberg to Norbert, archbishop of Magdeburg, in the year 1128, may be seen in vita Ottonis, in Ludewig scriptt. Bamb. i. 495. Kanngiesser, i. 694 s. Spieker, i. 73.

⁷ Spieker, i. 95, 447.

⁸ Concerning Vicelin, after 1149 Bishop of Oldenburg, see J. E. de Westphalen monumenta inedita rer. Germ. praecipue Cimbricarum et Megapolensium. ii. 234 ss. Praef. p. 33 ss. St. Vicelin, von F. Chr. Kruse, Altona, 1826. 8. Kirchengesch. Mecklenburgs v. J. Wiggers, Parchim u. Ludwigslust, 1840, s. 28. Vicelinus v. G. F. E. Crusius, in Lücke's u. Wieseler's Vierteljahrschrift, 1846, s. 357. Giesebricht's wend. Gesch. ii. 241.

⁹ On this transfer, see Dr. F. H. Grautoff's histor. Schriften, Bd. 1 (Lubeck, 1836), s. 119.

¹⁰ The documents are given in J. P. de Ludewig reliquiis manuscriptt. vi. 230: There is a critical edition of the documents of the bishopric of Schwerin in G. C. F. Lisch Mecklenburgische Urkunden, Bd. 3. Schwerin, 1841.

of Ratzeburg, were renewed or founded. At length, in 1162, after the complete conquest of the Obotrites, Henry the Lion entirely suppressed heathenism.¹¹

During these many wars, the whole country of the Wends was wasted to such a degree that it was necessary to introduce German colonists throughout its whole extent. Thus the ancient inhabitants of the country were almost entirely driven out, and the security of Christianity was more firmly established.

Last of all in the Wend region, Rugen also yielded, the seat of the greatest sanctuary, and the most stubborn champion of idol worship. After a long war, the island was conquered, in 1168, by the Danish King Waldemar, the sanctuaries were destroyed, and the inhabitants baptized.¹²

§ 92.

CONVERSIONS IN THE NORTHEAST OF EUROPE.

In the year 1157, St. Erich IX., king of Sweden, conquered the Finns, forced them to profess Christianity, and founded among them the bishopric of Randameeki (removed to Abo in 1300).¹ On the other hand, the efforts of the Swedes against Esthland, in 1166 and the following years, remained without success.²

In Livonia, with which Bremen and Lubeck had entered into a mercantile connection ever since the middle of the 12th century, the canon Meinhard, from the year 1186, endeavored to establish Christianity: after some small success, he was forthwith appointed, in 1188, by the Archbishop of Hamburg and Bremen, to be Bishop of Yxküll. But as the number of Christians did not increase, notwithstanding this measure, and the Livonians were rather more distrustful of Christianity, recourse was then had to the

¹¹ On the conversion of these northern Wends in general, see Helmoldus I. c. lib. i. c. 47–58, 68–87. Gebhardi, i. 175.

¹² Helmoldus lib. ii. c. 12, 13. Saxonis Grammatici (Provost in Rothschild † 1204) historiae Danicae (libb. xvi. ed. St. J. Stephanus. Sorae, 1644. fol.) lib. xiv. p. 295, 310, 319. Erich Pantoppidan's Annales Eccl. Danicae diplomatici, i. 404. Gebhardi, ii. 9. F. Münter's Kirchengesch. v. Danemark u. Norwegen, II. ii. 781. The same author in Ilgen's Zeitschr. II. i. 112. Barthold's Gesch. v. Rugen u. Pommern, ii. 182.

¹ Claud. Oernhjälmi hist. Sueonum Gothorumque eccles. (libb. iv. priores. Stockholm, 1689. 4) lib. iv. c. 4. Olof Dalin's Gesch. des Reichs Schweden, ii. 82.

² Oernjälm I. c. lib. iv. c. 5. Dalin l. c. s. 105 ff. Gebhardi's Gesch. v. Liefland, Esthland, Kurland, u. Semgallen. (Allg. Welthistorie, Th. 50) s. 309 ff.

wonted expedient, the sword. Several crusades in 1198 and the following years were set on foot in Westphalia and Lower Saxony against the Livonians. Thus Albert, the third bishop of Livonia (1198–1229), who chose the newly-built Riga as the site of his see (1200), with the help of the Order of the Sword,³ instituted by himself in 1202, succeeded, after much bloodshed, in accomplishing the work.⁴ Then, in the year 1211, Albert began to wage war with the Esthonians; and with the help of Waldemar II., king of Denmark, this people also was subdued in 1219. A painful dispute about this land, between the Danish and German clergy, ended in favor of the latter during Waldemar's imprisonment in 1223, and Dorpat was made the seat of the new Esthonian bishopric.⁵ When also, in 1218, Semgallen became Christian, and the bishopric of Selon was founded in this country, Curland (1230), now threatened on every side, determined of its own accord to receive baptism⁶ in order to escape slavery.

After the year 1207, some Polish Cistercians began to preach Christianity in Prussia also, not without success. When, however, the neighboring dukes of Poland and Masovia endeavored to turn these efforts to account in the subjugation of their country, the Prussians avenged themselves by a devastating invasion of Masovia. Conrad, duke of Masovia, first sought deliverance by the aid of crusaders: at last, in 1226, he summoned the Teutonic order⁷ to his assistance. After wearisome wars (1230–1283), which changed the land into a desert, the knights succeeded in forcing the remnant of the nation to an outward profession of Christianity.⁸ So early as 1243, Innocent IV. had the country divided

³ See above, § 72, note 16.

⁴ On the conversion of Livonia, Lithuania, and Esthonia, see von Parrot's Entwicklung der Sprache, Abstammung, Geschichte, Mythologie der Liwen, Letten, Eesten. Bd. 1 (Stuttgart, 1828), s. 240. On the conversion of Livonia, see Heinrich's (a Lettish priest, about 1226) *Origines Livoniae sacrae et civiles*, s. *Chronicon Livonicum vetus*, cum notis J. D. Grüberi. Francof. et Lips. 1740. fol. Gebhardi, s. 314. Voigt's Gesch. Preussens, i. 380.

⁵ *Origines Livon.* p. 72 ss. Gebhardi, s. 331 ff. Münter's Kirchengesch. v. Danemark u. Norwegen, II. ii. 807.

⁶ Albertus Stadens. ad ann. 1229 (in Schilteri scriptt. rer. Germ. p. 306). Raynaldus ad ann. 1232, no. 3. Gebhardi, s. 367. ⁷ See above, § 72, note 15.

⁸ On the conversion of the Prussians in general, see Petri de Dusburg (about 1326). *Chronicon Prussiae*, ed. Christ. Hartknoch Jenae. 1679. 4. and Hartknoch diss. xiv. de originibus relig. christ. in Prussia, in the appendix to that Chronicle, p. 203 ss. Wagner's Gesch. v. Polen (Guthrie's allgemeine Weltgeschichte. Bd. 14. Abth. 1), s. 161 ff. Voigt's Gesch. Preussens, i. 428.

into the four bishopries of Culm, Pomesania, Ermeland, and Sameland.⁹

§ 93.

ATTEMPTS OF THE WESTERN NATIONS TO SPREAD CHRISTIANITY IN ASIA.

So far the Nestorians alone¹ of all Christian parties had extended themselves into Middle and Eastern Asia (see vol. i. Part 2, § 122). In the beginning of the 11th century, they even succeeded in converting the royal family of the Tartar tribe Kerait, which inhabited the country south of the Baikal sea. The native Christians of Syria translated *Owang Khan*, the title of the prince of this tribe, into the name Prester John.² They delighted in opposing to the arrogance of the Western crusaders tales of the might and magnificence of their associate in the faith throned in the farthest East,³ and caused letters to be issued from him to the sovereigns of Europe.⁴ Alexander III., on the other hand, in-

⁹ The documents may be found at the end of Petrus de Dusburg, ed. Hartknoch, p. 476.

¹ They were so much in favor with the califs, that the Christians of all other churches were placed under the jurisdiction of the Nestorian patriarch, see J. S. Assemani bibl. orient. III. i. 96.

² Marco Polo lib. i. c. 51, in the Recueil de voyages et de mémoires publié par la société de géographie T. i. (Paris, 1824. 4.) p. 346: de Presto Joanne, qui proprio nomine vocabatur Unchan, loquebatur totus mundus. Hammer, Gesch. d. goldenen Horde, s. 61, has Owang-Chan. The Nestorian inhabitants of Syria understood the Mongolian royal title Khan as נָשְׂרָב priest, and Owang as a name for which they substituted Juchanan, see my remarks in the theolog. Studien u. Kritiken, 1837, ii. 353. In the thirteenth century this Mongol title was better known. Abulpharagins, Hist. Dynast. p. 280, calls Owang-Khan, Malek Juhana; Rubruquis has it Regem Johannem.

³ Rubruquis (Recueil de Voyages, iv. 260): Isti Catay erant in quibusdam alpibus, per quas transivi, et in quadam planitie inter illas alpes erat quidam Nestorinus pastor potens et dominus super populum, qui dicebantur Haiman, qui erant Christiani Nestorini. Mortuo Concham elevavit se ille Nestorinus in Regem, et vocabant eum Nestorini Regem Johannem, et plus dicebant de ipso in decuplo quam veritas esset. Ita enim faciunt Nestorini venientes de partibus illis: de nihilo enim faciunt magnos rumores. The fictitious tales of the Bishop of Gabula, one of the Armenian ambassadors who in 1145 were sent to Eugene III., brought the first intelligence of Prester John to the Western World. Otto Frising, vii. c. 33.—Oriental accounts of Prester John may be found in Assemani bibl. orient. III. ii. 484. Comp. Mosheim Hist. Tartarorum ecclesiastica (Helmst. 1741. 4), p. 16; also his Institutt. hist. eccl. p. 443. Schlosser's Weltgesch. III. ii. i. 268. C. Ritter's Erdkunde, Thl. 2, Bd. 1 (2te Aufl. Berlin, 1832), s. 256, 283. D'Avezac in the Recueil de Voyages, iv. 547.

⁴ To the Pope, the Kings of France and Portugal, and the Greek emperor, see Petit de la Croix hist. de Genghizcan, p. 31. The last is printed in Assemani bibl. orient. III. ii. 490.

vited Prester John to put himself in subjection to the Roman Church.⁵ He became in fact, in 1202, a vassal of the powerful Zengis (Genghis) Khan,⁶ but he long survived in Western poetry as the priestly ruler of an earthly paradise.⁷ Among the Mongol Khans, the mendicant friars, who had been repeatedly sent by the Popes and St. Lewis for their conversion,⁸ believed that there was

⁵ Alexander's letter to him (*carissimo in Christo filio, illustri et magnifico Indorum Regi, sacerdotum sanctissimo*) in Rogeri de Hoveden annall. anglic. ad ann. 1178, p. 581, in Baroniūs, ann. 1177, note 33 ss.

⁶ Marco Polo lib. i. c. 63 (Recueil de Voyages, i. 358): Mastra civitas est Tenduch, et in ista provincia est Rex unus, qui descendit de Presto Johanne, et adhuc est Prestus Johannes, et suum nomen est Gorgion. Ipse tenet terram pro magno Kaan, sed non totam illam, quam tenebat Prestus Johannes, sed aliquam partem illius. Et semper magnus Kaan dedit de suis filiabus istis Regibus, qui descenderunt de Presto Johanne.

⁷ The magnificence of Prester John may be seen in a German poetical translation of his letter to the Greek emperor (note 4), in Haupt's and Hoffman's Altdeutsche Blätter, i. 308. This legend is placed in connection with the legend of the grail, by Albert the poet, *des jungern Titrel*, in the middle of the 14th century; the holy grail at last forsakes the sinful west, and withdraws into the country of Prester John, see San Marte's Leben u. Dichten Wolframs v. Eschenbach, Bd. 2 (Magdeburg, 1841), s. 437, 351. In the 15th century, Prester John was supposed to have been again discovered in the King of Ethiopia. See Magistri Hospitalarii Jerusal. epist. ad Carolum Regem Francorum, in the year 1448, in d'Achery Spicileg. iii. 777, compare d'Avezac in the Recueil de Voyages, iv. 556.

⁸ Innocent IV., in 1245, sent three Franciscans to the great Khan Gajuck, and four Dominicans to his commander-in-chief in Persia (Raynald. ann. 1245, no. 16 ss.). There are extracts from the notes of the voyage by the Franciscan Johannes de Plano Carpini, and the Dominican Simon de Sancto Quintino, in Vincentii Bellov. Specul. Hist. lib. xxxii. Johannis de Plano Carpini hist. Mongolorum, quos nos Tartaros appellamus, was first published entire in the Recueil de Voyages et de mémoires publié par la société de géographie, t. iv. Paris, 1839. 4, p. 603). In 1248, St. Lewis sent a Dominican to the same great Khan (Joinville hist. de s. Louis ed. Petitot. p. 332); and in 1253, a Franciscan to his successor, the great Khan Mangu, and the Mongol Prince Sartach (on this head, see Itinerarium fratris Willelmi de Rubruk [Ruysbroek, usually Rubruquis] de Ord. Frat. Minorum. ad partes orientales, first published entire in the original, in the Recueil de Voyages, iv. 199).—The conversion of Sartach, which his pretended chaplain, John, soon after announced to the Pope, and upon which Innocent IV. congratulates him in 1251 (Raynald. ad h. a. no. 1 ss.), was undoubtedly as fabulous as the intelligence given by the Armenian monk, Haitho (Haithonis Historia Orientalis, Colon. Brand. 1671. 4. p. 37), that the great Khan Mangu in 1253, upon the request of Haitho, king of Armenia, had received baptism.—After Mangu's death, in 1257, the great Mongol kingdom was divided between his two brothers, Hulagu in Persia, and Kublai in China. Hulagu († 1265) was favorable to the Christians (Asseman. III. ii. 103. Alexandri IV. epist. ad Olaonem Regem Tartarorum in Raynald. ann. 1260, no. 29 ss.): likewise his son and successor Abogha († 1282, the Pope's negotiations with him may be seen in Raynald. ann. 1267, no. 70; 1274, no. 21; 1277, no. 15; 1278, no. 17). His successor Achmet († 1284), was, indeed, a Mohammedan; but Argun († 1291) renewed the former alliance again (Raynald. ann. 1285, no. 79; 1288, no. 33; 1289, no. 60; 1291, no. 32), and the two Khans, Baidu and Cazan, even became Christians (comp. the Histor. Orientalis, p. 58 ss. of their contemporary Haitho). However, these Mongol princes attached less importance to Christianity than to an alliance with the Christian princes against the Mohammedans.—Also, the great Khan Kublai, in China, was favorable to the Christians (compare the *peregrinatio* of Marco Polo, a Venetian in great favor with the Khan, from 1275–1293, probably written in Italian

so general a preparation for Christianity, that the Western World long fostered the hope of seeing this great people quite incorporated with the Roman Church. However, the Mongols showed an equal regard for the religions of all nations, that they might vanquish and rule over the nations themselves.⁹ Thus the Christians as well as the Mohammedans were deluded, as they vied with each other in endeavoring to win over the Khans exclusively to their faith. Moreover, among the Mongols the Nestorians always surpassed the Roman Catholics in number and influence;¹⁰ so the fruit of all these missionary labors at last was nothing more than one small community in Cambalu (Peking), for which Clement V. in 1307 appointed an archbishop,¹¹ while this Mongol confusion of religions in the 13th century probably gave its present form to the superstition of the Lamas.¹²

in 1298, in two old texts, one published at full length, in French in the *Recueil de Voyages et de mémoires, publié par la société de géographie, t. i.* Paris, 1824. 4. p. 1, and one in Latin, *ibid.* p. 297; compare die *Reisen des Venezianer Marco Polo, deutsch mit einem Commentar v. Aug. Bürek, nebst Zusatzen u. Verbesserungen v. K. F. Neumann, Leipzig, 1845*: accordingly, in 1275, with Marco Polo, and afterward, in 1296 and 1299 (*Raynald. ann. 1299, no. 39*), Dominicans and Franciscans were sent to China.—Compare on the whole subject *Mosheim, hist. Tartarorum eccl. p. 29 ss.* *Mémoires sur les relations politiques des Princes chrétiens, et particulièrement des Rois de France avec les Empereurs Mongols par M. Abel-Rémusat in the Mémoires de l'institut royal de France, Acad. des inscript. t. vi. (1822)*, p. 396, especially p. 418 ss.

⁹ So says Rubruk (*Recueil, iv. 313*) of the festivals which Mangu Khan instituted: *mos ejus est, quod talibus diebus, quos divini (dervins, soothsayers) sui dicunt ei festos, vel sacerdotes Nestorini aliqui sacros, quod ipse tunc tenet curiam, et talibus diebus primo veniunt sacerdotes christiani cum suo apparatu, et orant pro eo, et benedicunt scyphum suum. Iстis recentibus veniunt sacerdotes Saraceni, et faciunt similiter. Post hos veniunt sacerdotes idolatrae, idem facientes. Et dicebat mihi Monachus (a Nestorian at the Khan's court), quod solum credit Christianis, tamen vult ut omnes orent pro eo. Et ipse mentiebatur, quia nullis credit, sicut postea audietis, cum omnes sequuntur curiam suam, sicut muscae mel, et omnibus dat, et omnes credunt, se esse familiares ejus, et omnes prophetant ei prospera.* Mangu said to Rubruk, p. 359: *Nos Moal credimus, quod non sit nisi unus Deus, per quem vivimus et per quem morimur, et ad ipsum habemus rectum cor.—Sed sicut Deus dedit manui diversos digitos, ita dedit hominibus diversas vias. Vobis dedit Deus Scripturas, et vos Christiani non custoditis eas.—nobis autem dedit divinatores, et nos facimus quod ipsi dicunt nobis et vivimus in pace.* Compare *Marco Polo*, translated by Bürek, s. 264 ff.

¹⁰ Abulpharag. ap. Asseman, iii. ii. 102. *Haithon Hist. Orient.* c. 25, 26.

¹¹ This was the Franciscan Joannes de Monte Corvino, cf. Wadding ad ann. 1307, no. 7 ss. With regard to the condition of this community, compare the two letters of this Franciscan in the year 1305 (Wadding ad h. ann. no. 10 ss.), in which he complains: *Nestoriani—tantum invaluerunt in partibus istis, quod non permittant, quempiam Christianum alterius ritus habere quantumlibet parvum oratorium, nec aliam quam Nestorianum publicare doctrinam.*

¹² Kublaikhan, in 1260, appointed the first Dalai-Lama, see Abel-Rémusat *recherches sur les langues tartares, t. i. (Paris, 1820. 4)*, p. 346, 386. Ritter's *Erdkunde, ii. i. 258.* [Cf. M. Huc, *Le Catholicisme à Peking pendant le xiiime siècle*, in Rev. Contemp. Oct. 1856.]

FIRST APPENDIX.

HISTORY OF THE GREEK CHURCH.

[George Finlay, *Greece and the Byzantine Empire*, *Greece and the Empire of Trebizond*, and *History of the Byzantine and Greek Empires*, Lond. 1850–55. A. de Salvandy, *Histoire du Bas Empire*, Par. 2d ed. 1855. Dean Waddington, *History of Greek Church*, 2d ed. 1854. M. B. Poujoulat, *Histoire de Constantinople*, 2, 8. 1855. J. M. Neale, *History of the Holy Eastern Church*, 2. 8.]

§ 94.

INTERNAL RELATIONS.

Among the Greeks all freedom, including that of the Church, and of scientific inquiry, was stifled for a long time by the oppression of a despotic government.¹ On the other hand, slavishness and insolence, falsehood and hypocrisy, were deeply rooted among them. They thought that in the classic age of Hellas the pinnacle of earthly civilization had been attained, in the ancient fathers of their Church the loftiest height of theological knowledge had been reached. So they batten on the lees of this twofold past, and by virtue of this their inheritance looked down with scorn on all other nations as barbarians. Michael Psellus the younger² († about 1100) may be regarded as the representative of the Greco-Roman learning of this age; as in him, so we find also in the sphere of theology, very few original creations, but still here and there the merit of a judicious collection and interpretation of former writ-

¹ Nicetas Choniata de Manuele Comneno, lib. vii. c. 5: *τοῖς πλείστι βασιλεῦσι Ρωμαίων οὐκ ἀνεκτόν ἔστιν ὅλως ἄρχειν μόνον, καὶ χρυσοφορεῖν, καὶ χρῆσθαι τοῖς κοινοῖς ὡς ἴδιοις, καὶ διαδιδόναι ταῦτα καθὼς ἄρα καὶ οἷς βούλονται, οὐδὲ μὴν ὡς δούλους τοῖς ἐλευθέροις προσφέρεσθαι· ἀλλ' εἰ μὴ καὶ σοφοὶ δοκοῦεν, καὶ θεοεικέστοι τὴν μορῷην, καὶ ἥρωες τὴν ἵσχυν, καὶ ὡς Σολομῶν θέσσοφοι καὶ δογματιστὰ θειάτατοι, καὶ κανόνες τῶν κανόνων εὐθέστεροι, καὶ ἀπλῶς θείων καὶ ἀνθρωπίνων πραγμάτων ἀπροσφαλεῖς γνώμονες, δεινὰ οὖνται πάσχειν· Ἐνθεν—οὐδὲ κατὰ τοῦτο τὸ μέρος δευτερεύειν οὕτινος οὐν ἀνεχόμενοι οἱ αὐτοὶ δογμάτων εἰσηγηταὶ καὶ δικασταὶ τούτων καὶ ὄρισται, πολλαχοῦ δὲ καὶ κολασταὶ τῶν μὴ συμφωνούντων αὐτοῖς γίνονται.*

² Cf. Leo Allatius de Psellis et eorum scriptis diatriba (also in Fabricii bibl. Graeca, v. 1). On his works, which comprise almost the whole learning of the time, and are for the most part still unprinted, Oudinus comm. de scrippt. eccl. ii. 646, and Hamberger zuverlässige Nachrichten v. d. vornehmsten Schriftstellern, iv. 11, may be also compared. The theological works, however (Commentaries on certain books of the Old Testament—dogmatical Explanations de Trinitate, etc.—lib. de vii. sacris Synodis oecumenicis, etc.), are of no particular value.

ings. Such a reputation the two exegetical writers, Theophylact, archbishop of the Bulgarians in Acerida († 1107)³, and Euthymius Zygadenus, a monk at Constantinople († after 1118),⁴ have earned for themselves pre-eminently. This Euthymius Zygadenus also issued a work on polemical divinity in his *Πανοπλία δογματικὴ τῆς ὁρθοδόξου πίστεως*,⁵ as did the historian Nicetas Acominatus, from Chonae († after 1206, see above, s. 3), in the *Θησαυρὸς ὁρθοδοξίας*.⁶ Works of greater research in defense of the Church, and certain Church doctrines, were published by Nicholas, bishop of Methone (about 1190).⁷ Lively pictures and criticisms of the moral and religious condition of the age may be found in the orations and lesser writings of Eustathius, archbishop of Thessa-

³ Comm. in xii. Proph. minores, in iv. Evang., in Acta Apost. et Epist. Pauli.—Epistolæ.—Lib. de iis in quibus Latini accusantur (see Div. I, § 42, note 10), etc.—Opp. cdd. Finetti, de Rubeis et al. Venet. 1755 ss. vol. iv. fol. (comp. Ernesti theol. Biblioth. Bd. 5, s. 771 ff.) cf. Rich. Simon. hist. crit. des principaux commentateurs du N. T. c. 28.

⁴ Zygadenus, not as he is commonly called, Zigabenus, see my Introduction to Euth. de Bogomilis. By him were written: Comm. in Psalmos (in Theophyl. Opp. ed. Venet.)—Comm. in iv. Evang. (ed. Ch. F. Matthaei. Lips. 1792, t. iii. 8.)—Comm. in epist. Pauli (Ms. in bibl. Vat. no. 636, s. Anecdota literaria. Romae, 1783, vol. iv. p. 6), cf. Rich. Simon. l. c. c. 29.

⁵ In 24 Titulis, according to Anna Comnena, lib. xv. p. 490, suggested and entitled by the Emperor Alexius, latine ex. vers. P. F. Zini Venet. 1555. fol. (also in the Bibl. PP. Lugd. xix. 1), in which, however, Titulus xiii. κατὰ τῶν τῆς παλαιᾶς Ράμης, ἦτοι τῶν Ἰταλῶν, ὅτι οὐκ ἐκ τοῦ νιοῦ ἐκπορεύεται τὸ ἄγιον πνεῦμα (Ms. in Paris and Rome, see N. Fogginius in Aneidot. literar. iv. 10. Romae, 1783) is left out. The Greek text was printed in 1711 fol. at Tergowist, in Wallachia, but with some omissions in the first Tituli on the Trinity, and with the rejection of the whole Tit. xxiv. against the Mohammedans (which, however, J. J. Beurer, in Frid. Sylburgi Saracenicis, Heidelb. 1595. 8. had already published in Greek and Latin). Concerning Tit. xxiii. against the Bogomili, see below, § 96, note 5. Cf. Fabricii biblioth. Graeca, vii. 461. Matthaei praef. ad Euthym. Zigab. commentarium in iv. Evang. p. 8. Ullmann in d. theol. Studien u. Krit. 1833, iii. 665.

⁶ On Nicetas, see Ullmann in the work quoted above, s. 674, Michael Akominatus of Chonae, archbishop of Athens, brother to Nicetas, by Dr. A. Ellissen. Gottingen, 1846. s. 7. The *Θησαυρός* in 27 books is written with the assistance of the *Πανοπλία* of Euthymius, but it has more original matter, see Ullmann, s. 680, of the same work. The first five books are published in a Latin translation by P. Morellus. Paris, 1569. 8. (also in the Bibl. PP. Lugd. xxv. 54, lib. xxiii., the controversies under Alexius Comnenus, in Greek in Th. L. F. Tafel Annae Comnenae supplementa, historiam eccl. Graecorum saec. xi. et xii. spectantia. Tubing. 1832. 4.). There is a description of the whole work to be seen in Montfaucon Palaeographia Graeca, p. 326 ss. Fabricii bibl. Graeca, vi. 420 ss. A. M. Bandinii Catalogus codd. mss. bibl. Mediceae Laurentianae varia continens opera Graecorum Patrum. Florent. 1764. fol. p. 430.

⁷ Concerning him, see Ullmann, s. 701, of the same work. Works by him: 'Ανάπτυξις τῆς θεολογικῆς στοιχεώσεως Πρόκλου, ed. J. Th. Voemel (Creuzeri initia philosophiae ac theologiae ex Platonicis fontibus ducta. P. iv. Francof. ad M. 1825); Nicol. Meth. Anecdota (questions and answers on points at issue between Christians and heathens), ed. Voemel P. ii. (2 Schulprogramme, Frankf. 1825 and 1826. 4.); Lib. de corpore et sanguine Christi (in the Auctarium biblioth. vett. Patr. Ducacanum ii, 272). The unprinted works against the Latins are, De primatu Papae, de processione Spir. s., de azymis.

lonica (about 1170)⁸, distinguished for his classic learning. The historian John Zonaras (after 1118, see Part 1, § 1),⁹ and particularly Theodore Balsamon,¹⁰ patriarch of Antioch († after 1203), have bequeathed to Constantinople useful illustrations of ecclesiastical law.

Since the Christian faith in general had settled down to a formal profession without inward life, many were led, by a narrow classical education, to seek for truth in the ancient philosophers;¹¹ while others were carried away, by a system of theology grounded only in the understanding, to fruitless questions on points of doctrine;¹² and, lastly, others even thought all insight into religion

⁸ The celebrated author of the Commentary on Homer, and on Dionysius Periegetes. His theological works are sermons, short treatises, letters: *Eustathii opuscula ed. Th. L. F. Tafel, Francof. ad M. 1832. 4.*

⁹ His *Commentarii in canones ss. Apostolorum*,—in *canonicas aliquot Graecorum Patrum epistolas*,—in *canones ss. Conciliorum*, formerly published separately, are best collected in *Guil. Beveregii (Beveridge) Synodicon s. Pandectae canonum ss. Apostolorum et Conciliorum. Oxon. 1672. fol.*

¹⁰ Concerning him, see *Fabricii. bibl. Gr. ix. 184.* His works are *Commentarius in canones Apostolorum et Conciliorum*, et in *epist. canon. ss. Patr. (in Guil. Beveregii Synodicon)*: *Commentarius in Photii Nomocanonem (in Guil. Voelli et Henr. Justellib. biblioth. juris canon. veteris. ii. 789.* Compare Biener's *Gesch. d. Novellen Justinian's. Berlin, 1824, s. 210)*: *Collectio ecclesiasticarum constitutionum (ibid. p. 1223)*: *Responsa on several questions in Canon Law in Jo. Leunclavii jus Graeco-Romanorum (Francof. 1596. ii. tom. fol.)*, i. 130, 138, 160, 362, 442.

¹¹ Nicolai Methon. *refutatio Procli ed. Voemel. p. 1*: Θαυμαστὸν οὖδεν, ἐὰν "Εὐληγες — μωρίαν ἡγάνται τὴν ἀληθινὴν καὶ ἡμετέραν σοφίαν.—'Αλλὰ θαυμάσειν ἄν τις μᾶλλον εἰκότως, ὅπως καὶ τινες τῆς ἔνδον ταύτης καὶ ἡμετέρας γεγονότες αὐλῆς—καὶ μυστηρίων θείων γενσάμενοι, ἐπειδὴ καὶ τῆς ἔξω παιδείας μετέσχον ἡ πον καὶ ἀκροβιγώς ἥψαντο, ἐπίπροσθεν τῶν οἰκείων τίθενται τὰ ἀλλότρια, τόπων μὲν τὸ σαφὲς καὶ ἀπλοῦν καὶ ἀκτάσκενον, ὡς εὐτελὲς, διαπτύνοντες, ἐκείνων δὲ τὸ ποικίλον καὶ γρίφον καὶ κομφόν, ὡς ὄντως σεμνὸν τε καὶ σοφὸν ἐκθειαζόντες.—"Οθεν ἀντοῖς καὶ τὰ πολλὰ προσκόπτειν συμβάνει, καὶ τῆς ὄρθης ἐκτρέπεσθαι πόστεως, καὶ ταῖς στεφοισμέναις πειθανάγκαις ἀπαγομένοις, εἰς βλασφημῶν αἴρεσις ὑπολισθαίνειν. In the time of Alexius Comnenus an Italian taught philosophy in Constantinople, and excited attention by spreading error. Nicetas Chon. in *Tafel Annae Comm. supplementa*, p. 2: 'Ην δὲ τὰς μετεμψυχώσεις δοξάζων, καὶ τὰς ἀγίας εἰκόνας οὐχ ὡς ἔδει τιμῶν ἀλλὰ καὶ τὰς Πλατωνικὰς ἰδέας παρεδέχετο, καὶ ἀλλὰ ἄπτα κακοφρόνως ἐφθέγγετο, cf. *Tafel praef. p. xi.* Anna Comm. v. 8 ss. gives his history at length. One of his disciples, Serbias, he had quite led back to heathenism: this man threw himself into the sea with the words δέξαι με, Πόσειδον, see Nicetas in *Tafel*, p. 2. On the other hand, many heathen superstitions had maintained their hold on the people, see Nicetae *Thesaur. iv. 42 (Bibl. PP. Lugd. xxv. 143)*: Ethnophrones, h. e. gentilium rituum et superstitionum imitatores, ut caeteris in rebus cum Christianis orthodoxis convenient, in hoc certe dissentient, quod gentilis superstitionis studiosiores aequo, genesin, h. e. natalitium sidus, Fortunam, Fatum, astronomiam et astroligiam introducunt et recipiunt: item vaticinia et divinationes, quae auguriis, auspiciis, cledonismis, h. e. incerti auctoris rumoribus, expiationibus, prodigiis, incantationibus, et caeteris id genus constant, non sine dierum, mensium, temporum, annorumque observatione amplexantur.

¹² Under Alexius Comnenus (from 1081-1118), Eustratius, archbishop of Nicæa, gave

fraught with danger;¹³ but not unfrequently in this way they fell into superstitious rudeness and fanaticism.¹⁴ Among the monks there were constantly those who sought, by extravagant self-torture, to win for themselves the admiration of the crowd.¹⁵ In general, the characteristics of the monastic orders were igno-

offense by the statement (Nicetas in Tafel, p. 3)· καὶ πρότερον καὶ νῦν τῷ Πατρὶ λατρεύειν τοῦ Κυρίου τὸ πρόσλημα (i. e. the body he had assumed), he had to recant, and confess: ὑψώθη τὸ πρόσλημα ἀπὸ αὐτῆς τῆς προσλήψεως,—καὶ τοσοῦτον, ὥστε πως ταύτον τῷ κτίσαντι. On the other hand, the monk Ninus fell into the monophysite heresy, when he so understood the words ἐθεώθη τὸ πρόσλημα, that he φύσει τὸ τεθεῶνται ἰδόξαζεν (Anna Comn. lib. x.).—Under Manuel Comnenus (from 1143-1180) there was a dispute on the meaning of the words in the Liturgy: σὺ εἶ ὁ προσφέρων καὶ προσφερόμενος (cf. Nicetae Chon. hist. in Manuele, vii. 5. Jo. Cinnamus hist. iv. 16). Many men distinguished for learning, in particular Soterichus Panteugenies, the patriarch designate of Antioch, asserted (Spicilegium Rom. x. i.) μόνῳ τῷ πατρὶ καὶ τῷ πνεύματι τὴν ἐπὶ τοῦ σταυροῦ θυσίαν προσηνέχθαι, οὐ μὴν καὶ αὐτῷ τῷ προσενέγκαντι λόγῳ, φάσκοντες ἄρι, εἰ τοῦτο δοίη τις, εἰς δύο πρόσωπα πάντως ὁ εἰς τοῦ θεοῦ νύός διαστήσεται. But the Synod assembled for this cause in 1156 (the acts are given in part in Tafel Annae Comnenae suppl. p. 8, cf. praef. p. xiv. entire in the Spicilegium Rom. x. i.) decided in this manner (Spic. Rom. x. 70): καὶ κατ' ἄρχην ἐπὶ τοῦ δεσποτικοῦ πάθους τὸν θεάνθρωπον λόγον τὸ σωτήριον θύμα προσενεγκεῖν τῷ πατρὶ τε, καὶ ἐαντῷ ὡς θεῷ, καὶ τῷ πνεύματι·—ἄλλα καὶ νῦν ὡσαύτως τὰς ἀναιμάκτους θυσίας τῇ παντελείᾳ καὶ τελειοποιῷ τριάδι προσύγεσθαι.—After this rose a dispute on the meaning of the words of Christ, ὁ πατήρ μου μείζων μού ἔστι (Nicetas in Manuele, vii. 5. Jo. Cinnamus, vi. 2). Some explained these words κατὰ μόνην αἰτίαν τῆς ἀχρόνου -ἀυτοῦ θεότητος, πρώτης γεννήσεως: others, on the contrary, asserted κατὰ τὸ ἀνθρώπινον λεχθῆναι (Maji Nova Coll. iv. 3). A Synod in the year 1166, in which the emperor himself presided, decided for the latter opinion (the acts are in A. Maji Scriptt. Vett. Nova Coll. iv. i.).—Toward the end of his life, Manuel took offense at the assertion in the book used in the Church for the instruction of Catechumens (Nicetas in Manuele, vi. 6): ἀνάθεμα τῷ θεῷ τοῦ Μωάμετ, περὶ οὐ λέγει “οὔτε ἐγένησεν οὔτε ἐγεννήθη,” καὶ “οὕτος ὀλόσφυρός ἔστι” (cf. Euthymii Zygad. Panoplia, tit. xxiv.: ‘Ολόσφυρον λέγει τὸν θεὸν ἦτοι σφαιρικὸν, i. e. as filling the whole globe), and after much resistance from the bishops prevailed so far as to have the following passage substituted instead: ἀνάθεμα τῷ Μωάμετ καὶ πάσῃ τῇ αὐτοῦ διδαχῇ καὶ διαδοχῇ.

¹³ Nicetas Thes. iv. 39, de haeresi Gnosimachorum: Gnosimachi cuivis Christianismi cognitioni et scientiae resistunt, illosque frustra laborare asserunt, qui sacris in Scripturis scientiam ullam aut cognitionem investigant, cum praesertim a Christianis Deus praeter bona opera nihil requirat, ut sit satius, si quis simplicius ambulet, nec curiosius quicquam perscrutetur.

¹⁴ When Alexius Comnenus, in want of money, had the precious metal stripped from certain sacred images, Leo, bishop of Chalcedon, characterized the deed as εἰκονομαχίαν πρόδηλον, and asserted with emphasis, τὴν ὑλὴν καὶ μετὰ τὴν τοῦ σχήματος ἀφύνισιν εἰκόνας Χριστοῦ καὶ τῶν ἄγιων εἶναι (Nicetas Thes. in Tafel Annae Comn. suppl. p. 6).

¹⁵ Eustathius enumerates the different methods, ad stylitam quendam Thessalonicensem, c. 48 (opp. ed. Tafel, p. 189). These are distinguished οἱ γυμνῖται, οἱ τῶν τριχῶν ἀνεπίστροφοι, οἱ χαμαελῖναι καὶ ανιπτόποδες, οἱ ρυπῶντες, οἱ σιγῶντες, οἱ σπηλαιῶται οἱ σιδηρούμενοι τοῦ θεοῦ οἱ ὅπλῖται, οἱ δενδροκομούμενοι), οἱ κιονῖται, (c. 54, οἱ κιονοφόρούμενοι). Then, οἱ ἐν ἀσκήσει τεθαμμένοι, of whom there are three sorts, c. 59: οἱ μὲν γὰρ ἐγκαταχωνύνοντιν εἰς γῆν ὅλους ἑαυτούς —οἱ δὲ γῆν μὲν πατοῦντες, βραχυτάπεδοι καταλύματι ἐνέρχαντες ἑαυτούς, ὑπεμφάνονται τῷ ἀπροΐτῳ τεθάφθαι καὶ αὐτοῖς. The third sort consisted of the στυλῖται, who lived in columns (c. 54, ἐντὸς τοῦ στύλου).

rance, and pretended sanctity.¹⁶ However, from among them rose up the few men who, in their zeal for the Church, ventured to resist the imperial despotism.¹⁷

§ 95.

RELATIONS TO THE LATIN CHURCH.

Leonis Allatii de Ecclesiae occidentalis atque orientalis perpetua consensione (libb. iii. Colon. Agripp. 1648. 4.), lib. ii. c. 10–16. J. G. Walch hist. controversiae Graecorum Latinorumque de processione Spiritus sancti. Jenae, 1751, p. 62. Schröckh, Kirchengesch. xxix. 372.

[Jacques G. Pitzipios, L'Eglise Orientale ; Exposé historique de sa séparation et de sa réunion avec celle de Rome. Rome, Propaganda press, 1855.]

During the crusades, continual but unavailing efforts were made on the side of the Latins to unite the Greek Church with the Roman, or rather to bring it under its dominion. Remarkable, in this point of view, are the Synod at Bari,¹ summoned by Urban II.; the mission of Peter Grosulanus, archbishop of Milan, from Paschal II. to the Emperor Alexius Comnenus in 1113;² the negotiations of Anselm, bishop of Havelberg, at the court of John Comnenus;³ and the efforts of the Popes during the reign of the

¹⁶ Compare especially Eustathii ἐπίσκεψις βίου μοναχικοῦ ἐπὶ διορθώσει τῶν περὶ αὐτὸν (opp. ed. Tafel. p. 214).

¹⁷ Thus the Abbot Nicephorus Blemmydes, about 1240, dismissed from his Church the Marchesina, the concubine of the Emperor John Ducas (Nicephori Gregorae hist. Byzant. ii. 7. Leo. Allat. de Eccl. occid. et orient. perp. consensione, p. 718). Arsenius, patriarch of Constantinople, excommunicated Michael Palaeologus, because in 1259 he put out the eyes of the former emperor's son, and seized on the crown for himself. He was deposed : a monk Joseph entered upon his see ; the consequence of which was a tedious schism between the Arsenians and Josephites (Nicephorus Gregor. lib. iv. Georg. Pachymeres de Mich. Palaeol. iii. 10, 14; iv. 5, 10, de Andronico, i. 13, 21).

¹ First summoned with reference to the Greeks in Lower Italy. Anselm, archbishop of Canterbury, had to take up the cause of the Roman Church ; see Eadmeri hist. Novorum lib. ii. p. 53, Idem de vita Anselmi, p. 21 ; Willelmi Malmesburiensis de gestis Pontificum Anglorum lib. i. (in Rerum Anglicarum scriptores post Bedam praecipui. Francof. 1601, p. 223). Anselm was thus induced to compose his treatise de processione Spiritus s. contra Graecos (Opp. p. 49 ss.).

² The archbishop's speech before the emperor is given in Latin by Baronius ad ann. 1166, no. 8, in Greek in Leonis Allatii Graecia orthodoxa, i. 379. Eustratius, archbishop of Nicaea, took up the argument against him ; his report of the controversy is preserved in a manuscript at Paris (Lequien Oriens christ. i. 649). On the correspondence which ensued, see Allatius de Eccl. occid. et orient. perp. cons. p. 626.

³ About the year 1135, Anselm had been ambassador of the Emperor Lothair at Constantinople, and in 1150, at the request of Eugene III., he prepared for him a full report of a religious conference held with Nicetas, archbishop of Nicomedia, in the Dialogorum libb. iii. (in d'Achery Spicileg. i. 161). On Anselm, see Riedel in v. Ledebur's Archiv f. d. Ge-

Emperor Manuel Comnenus,⁴ who was inclined to the union himself, but found a general disinclination to it among the clergy and people.⁵ The Greeks rejected the demand which was always reiterated, that in all points of difference they should give way to the Latins; this they did more resolutely than before, now that the universal monarchy of the Popes, lately developed in things spiritual and temporal, gave them new ground of offense.⁶ Many Greek authors of the 12th century wrote in defense of their Church;⁷ and

schichtskunde d. preuss. Staats, viii. 97, and Spieker in Illgen's Zeitschr. f. hist. Theol. 1840, ii. 1.

⁴ A letter of Pope Hadrian IV. to Basilius Achridenus, archbishop of Thessalonica, and his answer, are to be found in Baronius, 1155, no. 42, in Greek and Latin in Jo. Leunclavii ius graeco-romanum ed. M. Freher, i. 305. The disputation of this Basilius with Henry, archbishop of Beneventum, in Greek in MS. in the imperial Library of Vienna, see Lambecius, ed. Kollar. v. 88. — On the Synod negotiated about 1170, in Constantinople, by a Roman embassage, see Allatius de Eccl. occ. et orient. perp. cons. p. 664. Michael Anchialus, the patriarch at that time, afterward noted down the conference, in which he sought to prove to the emperor the impolicy of acceding to the demands of the Latins. Fragments of it are preserved in Allatius, p. 664, 526, 555, 558.

⁵ Cf. Michael Anchiali in Allatius, p. 558: Κυριεύσοι δέ μού τις Ἀγαρηνὸς τὸ φαινόμενον, καὶ μὴ μοι συντρέγοι τὸ νοούμενον Ἰταλός. Τῷ μὲν γὰρ οὐχ ὁμογνωμονό, καλὸν ὑπόκειμα· τοῦ δὲ τὴν συμφωνίαν ἐπὶ τῇ πίστει δεξάμενος, τοῦ θεοῦ μονὸν ἀπεκώρησα, δὸν ἔκεινος ἀποδιώκει ἔμαντὸν ἐνστερνισάμενος.

⁶ Nicetas says to Anselm (cf. note 3), lib. iii. c. 8: Si Romanus Pontifex in excelso throno gloriae suae residens nobis tonare, et quasi projicere mandata sua de sublimi voluerit, et non nostro consilio, sed proprio arbitrio, pro beneplacito suo de nobis et de Ecclesiis nostris judicare, imo imperare voluerit: quae fraternitas, seu etiam quae paternitas haec esse poterit? Quis hoc unquam aequo animo sustinere queat? Tunc nempe veri servi, et non filii Ecclesiae recte dici possemus et esse. Quod si sic necesse esset, et ita grave jugum cervicibus nostris portandum imminaret, nihil aliud restaret, nisi quod sola Romana Ecclesia libertate, qua vellet, frueretur, et aliis quidem omnibus ipsa leges conderet, ipsa vero sine lege esset, et jam non pia mater filiorum, sed dura et imperiosa domina servorum videretur et esset. Quid igitur nobis Scripturarum scientia? Quid nobis literarum studia? Quid magistrorum doctrinalis disciplina? Quid sapientum Graecorum nobilissima ingenia? Sola Romani Pontificis auctoritas, quae, sicut tu dicis, super omnes est, universa haec evacuat. Solus ipse sit Episcopus, solus magister, solus praceptor: solus de omnibus sibi soli commissis soli Deo, sicut solus bonus Pastor, respondat. Jo. Cinnamus (about 1176) denies that Rome had a high-priest, and also an emperor. 'Ο μὲν γὰρ τῷ τῆς βασιλείας ἐπεμβάνιν μεγαλεῖφ, ἀναζῶς ἔαντῷ, ἵππενομένῳ πεζῇ τῷ ἀρχερεῖ παραθέει, καὶ δοα καὶ ἵπποκόμος ἀντῷ γίνεται. ὁ δὲ Ἰμπεράτορα τοῦτον—δύομάζει. Πῶς, ὡς βέλτιστε, καὶ πόθεν σοι τοῖς Ῥωμαίων βασιλέεσσιν εἰς ἵπποκόμους κεχρῆσθαι ἐπῆλθεν;—'Αλλ' ἐμοὶ, φησι, βασιλέας προβεβλῆσθαι ἔξεστι. Ναι, όσον ἐπιθεῖναι χείρας, δοσον ἀγιάσαι, ταῦτα δῆ τὰ πνευματικὰ, οὐχὶ δὲ καὶ βασιλέας ἥδη καταχαρίζεσθαι, καὶ τάγε τοιαῦτα καινοτομεῖν: Hist. v. 7. Compare, below, note 11.

⁷ Euthymius Zygadenus in Panoplia, tit. xiii. (see above, § 94, note 5), Eustratius, Metrop. Nicaenus, see above, note 2, Michael Anchiali Patr. Constantinop., see note 4. — Von Kalaidowitsch, in the Monuments of Russian literature of the 12th century, published in 1821, the letter of Nicephorus, metropolitan of Kiew (1106–1120) to the Grand Duke Wladimir II. (Monomach) on the separation of the Greek and Latin Churches (see Karamsin's Gesch. d. russ. Reichs, ii. 133; Strahl's Beiträge zur russischen Kirchengeschichte, i. 55), see Wiener Jahrb. d. Lit. xx. 237.—The letter of John III., metropolitan

these haughty proposals of the Latins only served to arouse among the Greeks, already injured by the overpowering might of the West, and the licentiousness of the crusaders,⁸ an indelible hatred of the Romish Church.⁹

This hatred was indeed considerably increased by the establishment (1204) of a Latin empire in Constantinople.¹⁰ However, the Greek emperors were thus induced to manifest at least an appearance of zeal for church union, that they might not be hindered in their endeavor to win again what they had lost by the Popes, who had at their beck the whole might of the Western World. Thus even the Emperor John II. (Vatatzes Ducas), in Nicaea, encouraged the negotiations set on foot by some Franciscans in 1232, and continued in 1233 with the Greek patriarch Germanus;¹¹

of Kiew (1164–1166), to the Pope Alexander III., found in Latin in Herberstein *rerum Moscovit.* comment. p. 30. Comp. Karamsin. ii. 259. Strahl's *gelehrtes Russland*, s. 38.—Nili Doxopatrii (1143) *τάξις τῶν πατραρχικῶν θρόνων* (see *Div. i.* § 42, note 11).—Nicetas Acominatus in *Thesauro orthod.* (see above, § 94, note 6) lib. xxi et xxii. Leo Allatius de Eccl. occ. et orient. perp. cons. p. 627 ss. mentions yet more.

⁸ Thus it was upon the conquest of Thessalonica by the Normans in 1186, see Eustathius *de capta Thessalonica narratio* (Leo Grammaticus et Eustathius, ed. Bonnae, 1842, p. 366), where even the sanctuaries were overthrown, p. 470, and the divine service of the Greek Church mocked and interrupted, p. 480. After that Richard Cœur de Lion, in 1192, had handed over the islands of Cyprus to Guy, king of Jerusalem, the Greek clergy and monks of the island suffered a cruel persecution: see the account given by an anonymous Greek in Allatius de Eccl. occid. et orient. perp. cons. p. 693.

⁹ See the manner in which this hatred broke out under the usurper Andronicus, in persecutions against the Latins of Constantinople, in Willelmus Tyrensis, lib. xxii. c. 12 (*Gesta Dei per Francos I.* 1024), cf. Nicetae Chon. hist. ed. Paris. p. 162.—Baldwin, the first Latin emperor, wrote to Innocent III. (*Gesta Innoc. III.* c. 92): *Haec est (gens), quae Latinos omnes non hominum nomine dignabatur, sed canum; quorum sanguinem effundere paene inter merita reputabant.*—*Conc. Lateranense IV.* ann. 1215, c. iv.: *Postquam Graecorum Ecclesia—ab obedientia sedis apostolicae se subtraxit, in tantum Graeci coeperunt abominari Latinos, quod inter alia, quae in derogationem eorum impie commitebant, si quando sacerdotes Latini super eorum celebrassent altaria, non prius ibi sacrificare volebant in illis, quam ea tanquam per hoc inquinata lavissent.* Baptizatos etiam a Latinis et ipsi Graeci rebaptizare ausu temerario praesumebant, et adhuc, sicut acceperimus, quidam agere hoc non verentur. This, however, was only brought about by the hatred of individuals, not by principles adopted in the Church: accordingly, Demetrius Chomatenus, archbishop of Bulgaria about 1200, declares himself decidedly opposed to such measures, in *Leunclavii jus Graeco-Rom.* i. 318.

¹⁰ Philip Augustus, king of France, founded at that time a *Collegium Constantinopolitanum* in Paris, with a view to win over young Greeks of distinction to the Latin mode of civilization, *Bulæi hist. Univ.* Paris. iii. 10.

¹¹ The correspondence with which these negotiations were introduced may be seen in Matth. Paris ad ann. 1237, p. 457 ss. First, among others, p. 459, is Germani ep. ad Papam veteris Romæ: *Nos junctis manibus vobis uniri, vel vos nobis—instantissime postulamus, nec amplius schismatico scandalo immerito deturpari, et a Latinis defamari, vel vos a Graecis depravari.* (*Et ut veritatis medullam attingamus, multi potentes ac nobiles vobis obtemperarent, nisi injustas oppressiones et opum protervas exactiones et servitutes indebitas,*

but these remained without success, for the Latins would have every point conceded by the Greeks, and themselves yield in none.

After the re-conquest of Constantinople (1261), the Emperor Michael Palaeologus found it necessary for his interest to win over the Pope by fresh proposals for union, in order to hinder the much-dreaded crusade of the Latins.¹² While he was already summoning his learned theologians, and Thomas Aquinas was writing his *Opuscolum contra Graecos*,¹³ the zeal of the emperor varied with the degree of his danger. When, however, Charles of Anjou, king of Sicily, allied himself, in 1267, with the banished emperor, Baldwin II., and in 1269 the assault on Michael began, then he was forced to act in earnest.¹⁴ By persuasion and force

quas a vobis subjectis extorquetis, formidarent.) Hinc et crudelia bella in alterutrum, civitatum desolatio, sigilla januis ecclesiarum impressa, fratrum schismata, etc. The words in parenthesis Raynaldus, ad ann. 1232, nos. 48 and 49, did not find in a Roman MS.; but Germani Epist. ad Cardinales has a passage exactly similar, the integrity of which is confessed by the silence of Raynald. l. c. no. 50. There we find, p. 461: *Divisio nostrae unitatis processit a tyrannide vestrae oppressionis, et exactionum Romanae Ecclesiae, quae de matre facta neverca, suos, quos diu educaverat, more rapacis volucris suos pullos expellentis, filios elongavit. Quae etiam quanto humiliores et sibi priuiores, tanto magis conculet et habet viliores.*—Mentibus autem nostris scrupulum generat offendiculi, quod terrenis tantum inhantes possessionibus, undecumque potestis abradere, aurum et argentum congregatis, discipulos tamen ejus vos esse dicitis, qui ait: *Aurum et argentum non est mecum.* Regna vobis tributo subjicitis: negotiationibus numisma multiplicatis: actibus dedocetis, quod ore praedicatis.—Multae et magnae gentes sunt, quae nobiscum sapiunt, et nobiscum, qui Graeci sumus, conueniunt in omnibus. Primi, illi qui in prima parte Orientis habitant *Aethiopes*, deinde *Syri*, et alii qui graviores sunt, et magis virtuosi, scil. *Hyperi, Lazi, Alani, Gothi, Chazari*, innumarabilis plebs *Russiae*, et regnum magnae victoriae *Bulgarorum*. After this follow two letters in answer from the Pope (Gregorius—venerabili fratri Germano, Graecorum Archiepiscopo, etc.) in Matth. Paris, p. 462 ss.—With regard to the unsuccessful negotiations with the Greeks in Nicaea, undertaken in the following year, 1233, by two Dominicans and two Franciscans, see the account of the former in Raynald. ann. 1233, no. 5 ss.: better given in *Quetif et Echard* scrippt. ord. Praedicat. i. 911.

¹² Raynald. ann. 1263, note 22; in particular, Urbani IV. epist. ad Palaeologum ibid. no. 23 ss.

¹³ On this, see above, § 61, note 2.

¹⁴ Compare especially the Hist. Michaelis Palaeologi, lib. v. c. 8 ss. by the contemporary writer Georgius Pachymeres, *Πρωτέκδικος* of the Church of Constantinople; in particular, cap. 18, the representations of the emperor to his clergy, in which he assures them, μηδὲ χάριν ἄλλον πραγματεύεσθαι τὴν εἰρήνην, η̄ τοῦ δεινοὺς πολέμους ἀνακοπῆναι, καὶ Ῥωμαίων αἷμα περιποιηῆναι ἐκχυθήσεσθαι κινδυνεύοντα. μένεν δὲ καὶ πάλιν τὴν Ἐκκλησίαν ἀκανοτόμητον.—τρισὶ δὲ κεφαλαίοις καὶ μόνοις τὸ πρὸς τὴν τῶν Ῥωμαίων Ἐκκλησίαν πραττόμενον περιστήσεσθαι, πρωτείω, ἐκκλήτῳ (right of appeal to the Pope), καὶ μνημοσύνῳ (mention of him in the Church prayers), ὃν ἔκαστον εἴ τις ἀκριβῶς σκοποίη, κενὸν εἶναι ἀνάγκη. πότε γὰρ καὶ παροντιάσας ὁ Πάπας προκαθίσει τῶν ἄλλων; πότε δέ τισι καὶ ἐπέλθοι δίκην ἔχοντι, θάλασσαν τοσαύτην ταμέσθαι, καὶ τόσον ἀναμετρῆσαι πέλαγος, ἐφ' ὅ τῶν νομιζομένων πρωτείων τυχεῖν; τὸ δὲ ἐπὶ τῇ ἡμετέρᾳ καὶ μόνην Ἐκκλησίᾳ, καὶ δευτέρᾳ τῇ καθ' ὑμᾶς καὶ μεγάλῃ τὸν Πάπαν μνημονεύεσθαι τοῦ Πα-

he brought his bishops to compliance; and so at the Council of Lyons in 1274, there was no occasion for the theologians, Thomas Aquinas and Bonaventura, who had been summoned thither to convince the Greek delegates;¹⁵ for they swore of their own accord to all that was proposed to them. Joseph, the contumacious patriarch of Constantinople, was obliged to give way, and John Bekkos was placed in his see, whom the emperor by a strict imprisonment had transformed into a zealous advocate for the Latin doctrine.¹⁶ Thus this union, on the side of the Greek Church, was an affair of the court alone; the people regarded it with detestation.¹⁷ Martin IV. at last discovered the artifice, and excommunicated the emperor (1281).¹⁸ After Michael's death (1282), John Bekkos was driven to take refuge in a monastery, from the rage of the people; and soon after the whole union was revoked in form by Andronicus.¹⁹

§ 96.

HERETICS.

The Paulicians (comp. Div. I. § 3 and § 45), who held almost independent sway in the district about Philippopolis, were first humbled by the Emperor Alexius Comnenus (he reigned from 1081–1118), because they deserted him in his war with the Nor-

τριάρχον λειτουργοῦντος, τί ἀν τῷ ὄρθῳ προσσταί; πόσαις οἰκονομίαις οἱ Πατέρες πρὸς ὃ, τι γενέσθαι συμφέρον ἔχρισαντο; κ. τ. λ.

¹⁵ Clement IV. had already submitted to the emperor a Roman Confession of Faith, which was to be forthwith adopted by the Greeks (Raynald. ann. 1267, no. 72 ss.). Michael repeated this word for word, and assented to it, in the Epist. ad Gregor. X., which his ambassadors delivered at Lyons (in Mansi xxiv. 67), and only added to it: Rogamus Magnitudinem vestram, ut Ecclesia nostra dicat sanctum symbolum, prout dicebat hoc ante schisma usque in hodiernum diem, et quod permaneamus in ritibus nostris, quibus utebamur ante schisma, qui scilicet ritus non sunt contra supradictam fidem, etc. Cf. Sacramentum Imp. Graecorum l. c. p. 73, Literae Praelatorum Graeciae, p. 74, Sacramentum Graecorum, p. 77.

¹⁶ His numerous works in favor of the union, and the Roman Church, are published in Leonis Allatii Graecia orthodoxa. Tomi ii. Romae, 1652, 1659. 4.

¹⁷ Pachymeres de Michaelae Palaeol. lib. v. c. 22.

¹⁸ Pachymeres lib. vi. c. 30: *τὰ γὰρ καθ' ἡμᾶς ὡς εἰλον μαθόντες* (viz. the Romans) *καὶ ὅπερ ἦν ὑποτοπάσαντες, χλεύην τὸ γεγονός καὶ οὐκ ἀλήθεαν ἀντικρν.* παρὰ μόνον *γὰρ Βασιλέα καὶ Πατριάρχην, καὶ τινας τῶν περὶ αὐτοὺς, πάντες ἐδυσμέναινον τὴν εἰρήνην.* — *τέλος δὲ Βασιλέα μὲν καὶ τοὺς ἀμφ' αὐτὸν, ὡς χλεναστὰς — ἀφορισμοῖς καθυπέβαλον.* The sentence of excommunication is given in Raynald. ann. 1281, no. 25.

¹⁹ Pachymeres hist. Andronici lib. i. c. 2.

mans (1081–1085).¹ Afterward Alexius resided for a time at Philippopolis (1115), in order to bring back the defaulters to the Church by his eloquence in theology, as also by rewards and punishments.² Over against Philippopolis rose the orthodox Alexiopolis, to receive the penitent with great signs of favor.³ Thus the heresy ceased to prevail in this region: yet its secret continuance and extension were so much the less hindered, now that a new life was developed therein, by a process of inward leavening. From the Euchetae⁴ rose the Bogomili,⁵ who first made their appearance in the year 1116, when the Emperor Alexius unmasked their leader Basil by treachery,⁶ and had him burned to death.⁷

¹ Compare Anna Comnena, the daughter of Alexius, in her *Alexias* lib. v. ed. Paris. p. 131, and lib. vi. p. 154 s.

² Anna Comnena lib. xiv. p. 450 s. The pious daughter styles him for this deed *τρισκαδέκατον ἀπόστολον*.

³ Anna Comnena l. c. p. 456: Πόλεις γάρ ὅλας καὶ χώρας ταῖς παντοδαπαῖς αἱρέσεις κεκρατημένας πολυτρόπως εἰς τὴν ἡμετέραν ὄρθρόδοξον μετήνεγκε πίστιν. Τοὺς μὲν τὰ πρῶτα φέροντας μεγάλων ἡζίου προνοιῶν, καὶ τῶν στρατιωτῶν ταῖς λογάσι κατέλεγε· τοὺς δὲ χνυδαιοτέρους συναθροίσας ἀπαντας,—καὶ πόλιν τούτοις δειμάμενος ἀγχοῦ πον Φιλιπποπόλεως καὶ πέραν Εὐροῦ τοῦ ποταμοῦ, ἐκεῖσε τούτους μετώκισεν, Ἀλεξιούπολιν τὴν πόλιν κατονομάσας, ἡ καὶ Νεόκαστρον — ἀποδυσάμενος καὶ τούτοις κάκείνοις ἀρρώρας τε καὶ οἰνόπεδα καὶ οἰκίας καὶ κτῆσιν ἀκίνητον.

⁴ See Div. I, § 45, note 5.

⁵ Engelhardt on the Bogomili, in his Treatises on Church history, Erlangen, 1832, s. 153. Neander's Kirchengesch. v. ii. 743.

⁶ The Latins also bear witness to the craft and faithlessness of Alexius. Otto Frising. viii. 10, calls him Imperatorem perfidissimum; in Willermi Tyrensis hist. rerum in partibus transmarinis gestarum ii. 5, he is called vir nequam et subdolus, and c. 13, vir subdolus, potens simulare et dissimilare propositum.

⁷ Anna Comnena, lib. xv. p. 486 ss., records the transaction at length, but passes over the doctrines of the Bogomili, p. 490: Ἡβονδόμην δὲ καὶ πάσαν τὴν τῶν Βογομίλων διηγήσασθαι αἴρεστιν, ἀλλά με κωδίνει καὶ αἰδώς, ὡς πού φασιν ἡ καλὴ Σαπφώ. ὅτι συγγραφεῖς ἔγωγε γννή καὶ τῆς παρφύρας τὸ τιμιωτατόν, καὶ τῶν Ἀλεξίου πρωτιστον βλάστημα. For this reason she refers to the *Panoplia* of Euthymius Zygadenus, which was written at her father's command (see above, § 94, note 5). Euthymius Zygadenus has indeed written more against the Bogomili, e. g. an *'Επιστολὴ στηλιτεύοντα σταλεῖσα ἀπὸ Κωνσταντινουπόλεως πρὸς τοὺς ἐν τῇ αὐτῷ πατρίδι* (cf. Lambecii comm. de biblioth. Vindob. lib. v. cod. cxxiii. no. 8, p. 38, and cod. cclviii. no. 1, p. 134): another *Epistola steliteutica* (cf. ibid. cod. cclvii. no. 14, p. 122): a *Συγγραφὴ στηλιτευτικὴ* (ex cod. Vat. edita in Anecdotis literariis, Romae, 1783, iv. 27): in fine, the *'Ελεγχος καὶ Θρίαμβος τῆς βλάσφημον καὶ πολυειδοῦς αἴρεσεως τῶν ἀθέων Μασσαλιανῶν, τῶν καὶ Φονδαῖτῶν καὶ Βογομίλων καλούμενων, καὶ Ευχιτῶν, καὶ Ἐνθονισιαστῶν, καὶ Ἐγκρατητῶν, καὶ Μαρκιωνιστῶν* (in Jac. Tollii insignia itinerarii Italici, Trajecti ad Rhen. 1696. 4. p. 106 ss., and in Gallandii Bibl. PP. xiv. 293). However, the most important work is still *Titulus xxiij. of the Panoplia*; the Greek original in Jo. Christ. Wolfii historia Bogomilorum, Vitemb. 1712. 4. is dismembered and published incomplete, but has been issued by me entire (*Euth. Zygad. narratio de Bogomilis, s. Panopliae dogmaticae tit. xxiiij.*, Gotting. 1842. 4). The credibility of Euthymius in essential points, which J. L. Oederus, in prodomo historiae Bogomilorum criticae, Gotting. 1743. 4. (also in Heumanii nova sylloge dissert. ii. 492) has especially impugned, is cleared up remarkably by the similarity of his Bogomili

In their peculiar doctrines and customs, they agree so marvelously with the Cathari of the Western World,⁸ that the connec-

to the Western Cathari.—Euthymius remarks on the title with regard to the name of the party : Βὴ γὰρ ἡ τῶν Βογδάρων γλώσσα καλεῖ τὸν θεὸν, μίλου δὲ τὸ ἐλέγησον. εἶη δὲ ἀν Βογδάρος κατ' αὐτοὺς ὁ τοῦ θεοῦ τὸν ἔλεον ἐπισπάμενος. The Greeks erroneously connected the name with the word *pomilui*, in the Slavonian formula *Gospodine pomilui*, the Lord have mercy on thee : *Bogomil* is Friend of God, Theophilus, see my remarks on Euthymius, p. 1. Euthymius then begins : Ἡ τῶν Βογδάρων αἴρεσις οὐ πρὸ πολλοῦ συνέστη τῆς καθ' ἡμάς γενεῖς, μέρος οὐσα τῆς τῶν Μασσαλιανῶν, καὶ συμφερομένη τὰ πολλὰ τοις ἑκείνων δόγμασι, τινὰ δὲ καὶ προσεξενρόσα καὶ τὴν λύμην αὐξήσασα. Διεγνώσθη δὲ κατὰ τοὺς χρόνους Ἀλεξίου τοῦ θεοκυβερνήτου βασιλέως ἡμῶν, ὃς ἐντέχνως καὶ πάνι θαυμασίως τὸν ἔξαρχον αὐτῆς θηρεύσας. Βασίλειος ἦν οὗτος ὁ ιατρὸς, ἀνὴρ δλίθριος μᾶλλον, καὶ λοιμὸς, καὶ φθορὰς μεστός, καὶ πάσης κακίας ὄργανον.—Anna Comnenia l. c. p. 486. μέγιστον ἐπεγείρεται νέφος αἱρετικῶν, καὶ τὸ τῆς αἱρέσεως εἶδος καινὸν, μῆπω πρότερον ἐγνωσμένον, τῇ Ἐκκλησίᾳ. Δύο γὰρ δόγματα συνελθέτην κάκιστα καὶ φαντόγατα ἐγνωσμένα τοῖς πάλαι χρόνοις, Μανιχαίων τε ὡς ἀν τις εἴποι δυσσέβεια, ἥν καὶ Παντικαίων αἱρεσιν εἴποιμεν, καὶ Μασσαλιανῶν βδελυρία. Τοιούτον δέ ἐστι τὸ τῶν Βογδάρων δόγμα, ἐκ Μασσαλιανῶν καὶ Μανιχαίων συγκείμενον, καὶ, ὡς ξοικεν, ἥν μὲν κάν τοῖς πρὸ τούμοῦ πατρὸς χρόνοις, ἔλανθανε δέ. Δεινότατον γὰρ τὸ τῶν Βογδάρων γένος ἀρτὴν ὑποκρίνασθαι. Καὶ τρίχα μὲν κοσμικὴν οὖν ἀν ίδιοις Βογδαμίζουσαν, κέκρυπται δὲ τὸ κακὸν ὑπὸ τὸν μανδύαν καὶ τὸ κουκούλιον, καὶ ἐσκυθρώπακεν ὁ Βογδάρος, καὶ μέχρι ριψὸς σκέπεται, καὶ κεκυφὼς βαδίζει, καὶ ὑποψιθρίζει τὸ στόμα, τάνδοθι δὲ λίκος ἐστὶν ἀκάθετος.

⁸ Their doctrines are given in Euthymius, c. 1 : Ἀθετοῦσι πάσας τὰς Μωσαϊκὰς βίβλους μετὰ καὶ τοῦ ἐν αὐταῖς ἀναγραφομένου θεοῦ καὶ τῶν εἰναρεστησάντων αὐτῷ δικαίων, ναὶ μὴν καὶ τὰς μετ' αὐτάς ἀπάσας ὡς κατ' ἐπίπνοιαν τοῦ Σατανᾶ συγγραφέσας —Μόνας δὲ παραδέχονται καὶ τιμῶσιν ἐπτὰ,—λέγω δὴ τὸ φαλτήριον, καὶ τὸ ἔξκαιδεκαπρόφθον, καὶ τὸ κατὰ Ματθαίον Εὐαγγέλιον, καὶ τὸ κατὰ Μάρκον, καὶ τὸ κατὰ Λουκᾶν, καὶ τὸ κατὰ Ἰωάννην, καὶ ἐβδομὸν τὴν βίβλον τῶν πράξεων σὺν ταῖς ἐπιστολαῖς πάσαις καὶ τῇ Ἀπόκλινῃ τοῦ θεολόγου Ἰωάννου.—c. 6 : Λέγονσι, τὸν Δρίμονα, τὸν παρὰ τοῦ Σωτῆρος ὄνομασθέντα Σατανᾶν, νιὸν καὶ αὐτὸν εἶναι τοῦ θεοῦ καὶ πατρὸς, ὄναμαζόμενον Σατανᾶηλ, καὶ πρώτον τοῦ νιοῦ καὶ λόγου, καὶ ἴσχυρότερον, ἀτε πρωτότοκον, ὡς εἴναι τούτους ἀδελφοὺς ἀλλήλων. Εἴναι δὲ τὸν Σατανᾶηλ οἰκονόμον καὶ δευτερεύοντα τοῦ Πατρὸς, τὴν αὐτὴν αὐτῷ περικέμενον καὶ μορφὴν καὶ στολὴν, καὶ ἐν δεξιᾷ αὐτοῦ καθίμενον ἐπὶ θρόνον, καὶ τῆς μετ' αὐτὸν εὐθὺς τιμῆς ἀξιούμενον. 'Υφ' ἡς μεθυσθέντα καὶ εἰς ἀπόνοιαν ἐπαρθέντα μελετῆσαι ἀποστασίαν, καὶ ποτε δραξάμενον καιροῦ καθεῖνατ πειράν τισι τῶν λειτουργικῶν δυνάμεων, εἰ βούλοιντο κουφίζόμενοι τοῦ βάρους τῆς λειτουργίας ἀκολουθῆσαι τούτῳ καὶ συγκατεξαναστῆναι τὸν πατρός.—Είλτα τοὺς εἰρημένους ἀγγέλους—συναπαχθῆναι τούτῳ καὶ κοινωνῆσαι τῆς ἐπιβούλης, αἰσθόμενον δὲ ταύτης τὸν θεὸν ρίψαι τούτους ἀνωθεν ὅμοι πάντας.—c. 7 : Λέγονσι, τὸν Σατανᾶηλ ἀνωθεν ριφέντα καὶ μὴ δυνάμενον τοῖς ὑδασιν ἐφιζάνειν, ἢ γῆ γάρ φησιν ἣν ἀόρατος καὶ ἀκατασκευαστος, ἐπειπέρε ἔτι καὶ τὴν θείαν περιέκειτο μορφὴν καὶ στολὴν, καὶ τὴν δημιουργικὴν ἐκέκτητο δύναμιν, συγκαλέσαι τὰς συγκαταπεσούσας αὐτῷ δυνάμεις, καὶ θάρσος αὐταῖς ἐμβαλεῖν, καὶ εἰπεῖν· ὡς ἐπεὶ τὸν οὐρανὸν καὶ τὴν γῆν ὁ θεὸς ἐποίησεν (ἐν ἀρχῇ γάρ φησιν ἐποίησεν ὁ θεὸς τὸν οὐρανὸν καὶ τὴν γῆν), ποιήσω κάγω δεύτερον οὐρανὸν, ὡς δεύτερος θεὸς, καὶ τὰ ἔσχη ἀκολούθως. So he created the world and mankind ; but as he could not endue the latter with souls, διεπρεβεύσατο πρὸς τὸν ἀγαθὸν Πατέρα, καὶ παρεκάλεσε πεμφῆναι παρ' αὐτοῦ πνοὴν, ἐπαγγειλάμενος κοινὸν εἴναι τὸν ἀνθρωπὸν, εἰς ζωοποιηθῆ, καὶ ἀπὸ τοῦ γένους αὐτοῦ πληροῦσθαι τοὺς ἐν οὐρανῷ τόπον τῶν ἀποβρίφθεντων Ἀγγέλων. Τὸν δὲ θεὸν, ὡς ἀγαθὸν, ἐπινεῦσαι, καὶ ἐμφυσῆσαι τῷ παρὰ τοῦ Σατανᾶηλ πλασ-

tion of the two parties, for which also there is historical testi-

θέντι πτεῦμα ζωῆς, καὶ γενέσθαι παραντίκα τὸν ἀνθρώπου εἰς ψυχὴν ζῶσαν. Satanæl thereupon with Eve begot Cain and one daughter, Καλωμενᾶ, Adam begot Abel, etc. — c. 8: Δέγονσιν, ὅτι τῶν ἀνθρώπων πικρῶς τυραννούμενων, καὶ ἀπηνῶς ἀπολλυμένων, μόγις ὄλγοι τινὲς τῆς τοῦ πατρὸς μερίδος ἐγένοντο, καὶ εἰς τὴν τῶν Ἀγγέλων τάξιν ἀνέβησαν. Τούτους δὲ εἶναι τοὺς ἐν ταῖς γενεαλογίαις τοῦ τε κατὰ Μαθθαῖον Εὐαγγελίον, καὶ τοῦ κατὰ Λουκᾶν μηνημονευμένους. Ὁφε ποτε δὲ συνῆκε κατασοφισθεὶς ὁ Πατήρ, καὶ ἀδικεῖσθαι γνοὺς,—καὶ ἡμέρας τὴν ψυχὴν, τὸ ἵδιον ἐμφύσημα, πάσχονταν οὖτως ἀθλίως καὶ καταδυναστενομένην, διαναστῆναι πρὸς ἀμυναν, καὶ ἐν τῷ πεντακισχιλιοστῷ πεντακοσιοστῷ ἔτει (according to the Constantinopolitan era, Ideler's Chronol. ii. 463) ἔξερεύξασθαι τῆς ἑαυτοῦ καρδίας λόγον, τοῦτον δὲ τὸν νῦν καὶ θεόν.—Κατελθεῖν δὲ ἀνωθεν καὶ εἰσρυῆναι διὰ τοῦ δεξιοῦ ὥτες τῆς παρθένου, καὶ περιθέσθαι σύρκα τῷ φαινομένῳ μὲν ὑδικῆν καὶ δομίαν ἀνθρώπου σώματι, τῇ δ' ἀληθείᾳ ἀυλον καὶ θεοπρεπῆ, καὶ ἔξελθεῖν αὐθίς, ὅθεν εἰσῆλθε, τῆς παρθένου μῆτρα τὴν εἴσοδον αὐτῷ γνούσης μῆτρε τὴν ξεδον, ἀλλ' ἀπλῶς εὐρούσης αὐτὸν ἐν τῷ σπηλαίῳ κείμενον ἐσπαργανωμένον. Καὶ τελέσαι τὴν ἔνσαρκον οἰκονομίαν, καὶ ποιῆσαι καὶ διδάξαι τὰ ἐν τοῖς Εὐαγγελίοις ἀνατάτομενα, πλὴν ἐν φαντασίᾳ τοῖς ἀνθρωποπρεπέσιν ὑποκείμενον πάθεσι, σταυρωθέντα δὲ καὶ ἀποθανεῖν, καὶ ἀναστῆναι, δόξαντα τὴν σκηνὴν καὶ γυμνῶσαι τὸ δρῦμα, καὶ ἀποθέμενον τὸ προσωπεῖον συσχεῖν τὸν ἀποστάτην, καὶ παχεῖ καὶ βαρεῖ κλοιῷ καταδῆσαι καὶ ἔγκλεῖσαι τῷ ταρτάρῳ, περιελόντα καὶ ἐκ τοῦ ὄντος αὐτοῦ τὸ ἥλως ἀγγελικὸν (Σατανᾶλ γὰρ καλούμενον Σατανᾶν ἀφίκεν δινομάζεσθαι), καὶ λοιπὸν πληρώσαντα τὴν ἔγχειρισθεῖσαν διακορίαν ἀναδραμεῖν εἰς τὸν Πατέρα, καὶ καθίσαι ἐν δεξιᾷ εἰς τὸν θρόνον τοῦ ἀποφρίφεντος Σατανᾶλ, είτε εἰσελθεῖν, ὅθεν ἔξηλθε, καὶ ἀναλυθῆναι πάλιν εἰς τὸν Πατέρα, εἰς δὲν ἐν ἀρχῇ ἦν, τῇ γαστρὶ τούτου συγκεκλεισμένος.—c. 9: Δέγονσι, τοὺς ἀποπεσόντας Ἀγγέλους, ἀκούσαντας, ὅτι δὲ Σατανᾶλ ὑπέσχετο τῷ Πατρὶ, πληροῦσθαι τοὺς ἐν οὐρανῷ τόπους αὐτῶν ἀπὸ τοῦ γένοντος τῶν ἀνθρώπων, ἰδεῖν ἀσελγῶς τὰς θυγατέρας τῶν ἀνθρώπων, καὶ λαβεῖν αὐτὰς εἰς γυναικας, ἵνα τὰ σπέρματα αὐτῶν εἰς τὸν οὐρανὸν ἀνέλθωσιν, εἰς τοὺς τόπους τῶν πατέρων αὐτῶν. Ἰδούτες γάρ, φασιν, οἱ νῦν τοῦ θεοῦ τὰς θυγατέρας τῶν ἀνθρώπων, ὅτι καλαὶ εἰσιν, ἐλαβον ἑαυτοῖς γυναικας. Σίονς δὲ τοῦ θεοῦ τούτους δινομάζοντιν, φος καὶ αὐτοὺς ἀπ' ἐκείνους γεγονότας. Ἐκ δὲ τῆς συνονοίας αὐτῶν ἀπογεννηθῆναι τοὺς Γιγάντας, οὓς ἀντιστῆναι τῷ Σατανᾶλ, καὶ θριαμβεῦσαι τοῖς ἀνθρώποις τὴν ἀποστασίαν αὐτοῦ. Τὸν δέ θριαμβεῦτα ἐπαγαγεῖν αὐτοῖς τὸν κατακλυσμὸν, καὶ διαφθεῖραι σὺν αὐτοῖς πᾶσαν ζῶσαν σύρκα. Μόνον δὲ τὸν Νῷε θυγατέρα μὴ κεκτημένον ἀγνοῆσαι τὴν ἀποστασίαν τοῦ Σατανᾶλ, καὶ διαμεῖναι θεραπεύοντα τοῦτον, οὐ τὴν λατρεία τὸν Σατανᾶλ ἀρεσκόμενον ὑπόθεσθαι τὰ περὶ τῆς κιβωτοῦ, καὶ διασῶσαι τοῦτον μόνον μετὰ τῶν ἐν αὐτῷ.—c. 11: Τοὺς Ἱεράρχας δὲ καὶ τὸν Πατέρα διοῦ πάντας ἀποδοκιμάζοντιν ὡς εἰδωλολάτρας, διὰ τὴν τῶν εἰκόνων προσκύνησιν, καὶ τοὺς μὲν εὐσεβεῖς ἀπαντας βασιλεῖς ἀλλοτριοῦσι τοῦ κλήρου τῶν Χριστιανῶν, μόνον δὲ καλοῦσιν ὄρθοδόξους καὶ πιστοὺς τοὺς εἰκονομάχους, καὶ μάλιστα τὸν Κοπρώνυμον. Ἀτιμάζονσι γὰρ καὶ τὰς σεβασμίους εἰκόνας, τὰ εἰδῶλα λέγοντες τῶν θυνῶν, ἀργύριον καὶ χρυσίον, ἔργα χειρῶν ἀνθρώπων.—c. 13: Δέγονσιν, ἀπ' αὐτῶν μὲν μόνον, ἥτοι τῶν Βογομίλων, φεύγειν ἀεὶ τοὺς δάιμονας, ὡσεὶ τόξον βολὴν, ἐκάστω δὲ τῶν ἀλλων ἀπάντων ἐνοικεῖν δάιμονα, καὶ διδάσκειν αὐτὸν τὰ πονηρὰ, καὶ ἀγεῖν ἐπὶ τὰς ἀνοσιογρίας, καὶ ἀποθηῆσκοντος ἐνοικεῖν αὐθίς τοῖς λειψάνοις αὐτοῦ, καὶ παραμένειν τῷ τάφῳ, καὶ ἀναμένειν τὴν ἀνάστασιν, ἵνα σὺν αὐτῷ κολασθείη, καὶ μηδὲν κολάσσει τούτου διαχωρίζοιτο.—c. 14: Ἀτιμάζονσι τὸν θεὸν σταυρὸν, ὡς ἀναιρέτην τοῦ Σωτῆρος.—c. 16: Τὸ μὲν παρ' ἡμῖν βάπτισμα τοῦ Ἰωάννου λέγοντιν, ὡς δὲ ὑδατος ἐπιτελούμενον, τὸ δὲ παρ' αὐτοῖς τοῦ Χριστοῦ διὰ πνεύματος, ὡς αὐτοῖς δοκεῖ, τελούμενον. Διὸ καὶ τὸν προσερχόμενον αὐτοῖς ἀναβαπτίζουσιν, πρῶτα μὲν ἀφορίζοντες αὐτῷ καιρὸν εἰς ἔξομολόγησιν,

mony,⁹ can not fail to be recognized. Even after their master's death, the Bogomili maintained their ground in the Greek empire, especially in the region of Philippopolis.¹⁰

καὶ ἀγνείαν καὶ σύντονον προσευχήν. Εἴτα τῇ κεφαλῇ αὐτῷ τὸ κατὰ Ἰωάννην Εὐαγγέλιον ἐπιτιθέντες, καὶ τὸ παρ' αὐτοῖς ἄγιον πνεῦμα ἐπικαλούμενοι, καὶ τὸ Πάτερ ἡμῶν ἐπάδοντες. Μετὰ δὲ τὸ τοιοῦτον βάπτισμα καὶ τὸν αὐθις ἀποκληροῦσιν εἰς ἀκριβεστέραν ἄγωγῆν καὶ πολιτείαν ἐγκρατέστεραν καὶ καθαρωτέραν προσευχήν. Εἴτα μαρτυρίαν ἀπαιτοῦσιν, εἰ ἐφύλαξε πάντα, εἰ σπουδαίως διηγωνίσατο. Καὶ μαρτυρούντων ἀνδρῶν ὅμοιον καὶ γνωτικῷ ἄγοντιν αὐτὸν ἐπὶ τὴν θρυλλούμενην τελείωσιν, καὶ στήσαντες τὸν ἄθλιον κατὰ ἀνατολὰς ἐπιτιθέσιν αὐτοῖς τῇ μιαρῇ τούτου κέφαλῇ τὸ Εὐαγγέλιον, καὶ τὰς ἁναγείας αὐτῶν ἐπέχοντες χείρας οἱ παρατυχόντες ἀνδρες καὶ γυναῖκες τὴν ἀνόσιον ἐπάδοντος τελετὴν.—c. 17: Ἀτιμάζοντι τὴν μυστικὴν καὶ φρικτὴν ἱερουργίαν, καὶ τὴν τοῦ δεσποτικοῦ σώματος καὶ αἵματος ἄγιαν μετάληψιν, θυσίαν τῶν ἐνοικούντων τοῖς ναοῖς δαιμόνων ταύτην ἀποκαλοῦντες.—c. 18: Λέγοντιν, ἐν πᾶσι τοῖς ἵεροις ναοῖς κατοικεῖν τοὺς δαίμονας, διαλαχόντας αὐτὸν ἀναλόγως τῆς ἑκάστου τάξεως καὶ δυνάμεως. Τὸν μεντοὶ Σατανᾶν πάλαι μὲν ἀποκληρώσαι ἔαντῷ τὸν πολυθρύλλητον ἐν Ἱεροσολύμοις ναὸν, μετὰ δὲ τὴν ἐκείνου καταστροφὴν ἔξιδιάσασθαι τὸν ἐν τῇ βασιλίδι ταύτῃ τῶν πόλεων ὑπερφερῆ καὶ περιώνυμον τῆς τοῦ θεοῦ Σοφίας οἰκον. Οὐ γάρ ὁ ὑψιστός, φασιν, ἐν χειροποιήτοις ναοῖς κατοικεῖ, τὸν οὐρανὸν ἔχων κατοικητήριον.—c. 19: Μόνην ὀνομάζουσι προσευχὴν τὴν ὑπὸ τοῦ Κυρίου παραδοθεῖσαν ἐν τοῖς Εὐαγγελίοις, ἥγονον τὸ Πάτερ ἡμῶν, καὶ ταύτην μόνην προσεύχονται, ἐπτάκις μὲν τῆς ἡμέρας, πεντάκις δὲ τῆς νυκτός (they omit the doxology in use among the Greeks at the end of the Lord's Prayer, as the Latins do, see J. Tollii insignia itinerarii Italici, p. 118).—Τὰς δ' ἄλλας πάσας προσευχὰς ἀτμάζοντι, βαττολογίας εὐτάς ἀποκαλοῦντες, καὶ τῆς ἰθυκῆς μερίδος.—c. 20: Ἐλεγεν ὁ τῆς αἱρέσεως αὐτῶν ἔξαρχος, ἐγγεγράφθαι τοῖς Εὐαγγελίοις αὐτῶν φωνὴν τοῦ Κυρίου λέγονταν· τιμάτε τὰ δαμόνια, οὐχ ἵνα ὠφεληθῆτε παρ' αὐτῶν, ἀλλ' ἵνα μὴ βλάψωσιν ὑμᾶς. (Just so the Slavonians dedicated goblets to the good and the evil God, see Helmoldi Chron. Slav. i. 52. Compare my remarks in the Theol. Studien u. Kritiken 1837. ii. 359, 365).—c. 21: Ἐτι προσεγγεγράφθαι καὶ ταύτην ἐλεγε τοῦ Κυρίου φωνὴν· τρόπῳ σώθητε, τοντέστη μετὰ μηχανῆς καὶ ἀπάτης, ὑποκρινόμενοι τὴν πίστιν τῶν ἀνακαζόντων ὑμᾶς.—c. 22: Λέγοντι τοὺς τῆς πίστεως αὐτῶν, δοσοὶ ἐνοικήσει τὸ παρ' αὐτοῖς ἄγιον πνεῦμα, πάντας θεοτόκους καὶ εἰναι καὶ ὄνομάςεσθαι, βαστάσαντας καὶ αὐτοὺς τὸν λόγον τοῦ θεοῦ, καὶ γεννήσαντας αὐτὸν διὰ τοῦ διδάσκειν ἐτέρους, καὶ μηδὲν πλέον αὐτῶν ἔχειν τὴν πρώτην θεοτόκον.—Λέγοντι τοὺς τοιούτους μὴ ἀποθνήσκειν, ἀλλὰ μεθιστασθαι, καθάπερ ἐν ἴπνῳ, τὸ πηλινὸν τοντὶ καὶ σαρκινὸν περιβόλαιον ἀπόνων ἐκδυομένους, καὶ τὴν ἄφθαρτον καὶ θείαν τοῦ Χριστοῦ στολὴν ἐνδυομένους, καὶ γινομένους συσώμους καὶ συμφόρους αὐτοῦ, μεθισταμένους διὰ προπομπῆς Ἀγγέλων καὶ Ἀποστόλων εἰς τὴν βασιλείαν τοῦ Πατρός, τὸ δ' ἀποδύθεν σῶμα τούτων εἰς τέφραν καὶ κόνιν διαλίσθαι, μηκέτι μηδαμᾶς ἀνιστάμενον.—c. 23: Λέγοντιν, οὐκ ὄναρ μόνον πολλάκις, ἀλλὰ καὶ ὑπὲρ βλέπειν τὸν Πατέρα μὲν ὡς γέροντα βαθυγένειον, τὸν δὲ Τιὸν ὡς ὑπηνήτην ἄνδρα, τὸ θεὸν Πνεῦμα τὸ ἄγιον ὡς λειοπρόσωπον νεανίαν.—c. 24: Στολίζονται κατὰ Μοναχοὺς, in order to obtain easier acceptance. c. 25: Πάσης ἐβδομάδος δευτέραν καὶ τετράδα καὶ παρασκευὴν παραγγέλλονται νηστεύειν ἡώς ὥρας ἐννάτης. c. 27 ss. on their allegorical interpretation of Holy Scripture. They asserted, c. 37: μετέναι πολιτείαν ἀκριβεστέραν τε καὶ καθαρωτέραν, ἀπεχομένους κρεωφαγίας, καὶ τυροῦ, καὶ ὕδων, καὶ γάμουν, καὶ τῶν τοιούτων.

⁹ See above § 87, note 11 (Evervin), § 90, note 20 (Rainerius), note 23 (Pseudoevang. Jo.), note 26 (Conradus Portuensis).

¹⁰ Anna Comnena l. c. p. 490: ἐνεβόθυνε τὸ κακὸν καὶ εἰς οἰκίας μέγιστας, καὶ πολλοῦ

The divisions which rose during the 12th century in the Russian Church on account of certain trifling ecclesiastical customs,¹¹ show plainly enough the degraded state of Christianity in Russia at this time.

πλήθονς ἦψατο τὸ δεινὸν. Euthymii Victoria de Massalianis in Tollius l. c. p. 112: *ἡ πολυώνυμος τῶν Μασσηλιανῶν, εἵτουν Βογομίλων αἴρεσις ἐν πάσῃ πόλει, καὶ χώρᾳ, καὶ ἐπαρχίᾳ ἐπιπολάζει ταῦν.*—In the year 1140 a Synod at Constantinople condemned to the flames συγγράμματα τινὰ τὸν βίον ἥδη καταλιπόντος Κωνσταντίνου τοῦ Χρυσομάλου, in which it found πλέον τῶν ἄλλων Ἐνθονσιαστῶν καὶ Βογομίλων, and punished the monks who had them in their possession (the Sententia Synodi in Allatius de Eccl. occid. et orient. perp. cons. p. 644. Mansi xxi. 551).—In the year 1143 two Cappadocian bishops, Clemens and Leontius, were deposed as Bogomili, by a Synod at Constantinople (the Sententia is in Allatius l. c. p. 671. Mansi xxi. 583): about the same time, and for the same reason, the Monk Niphon was sentenced to imprisonment (Joh. Cinnami hist. lib. ii. c. 10. Allatius l. c. p. 678). About 1180, writes Theod. Balsamon schol. in Photii Nomocan. tit. x. c. 8 (Voelli et Justelli Bibl. juris can. vet. ii. 1042): *ἀπὸ τούτων (αἱρετικῶν) ὡς ἔοικεν ἀκέραια κάστρα τε καὶ χωρία Βογομιλικὰ παραχωροῦμεν πλανάσθαι, καὶ μετὰ τῆς ιδίας ἀποθνήσκειν αἰρέσεως.* Ἐνα δὲ καὶ τυχόντα τοιοῦτον αἱρετικὸν εὑρίσκοντες ἐν τῷ βασιλεούσῃ διατρίβοντα μεγάλως αὐτὸν κολαζομεν. — Geoffroy de Ville-Hardouin, sharer and historian of the conquest of Constantinople by the Latins, says, no. 208 (Collection des mémoires relatifs à l'histoire de France par M. Petitot. Tome i. Paris, 1819, p. 385), that a part of the inhabitants of Philippopolis were *Popolicani*.—Still later the Patriarch Germanus (see above, § 95, note 11) attacked the Bogimili in the *Oratio in exaltationem venerandae Crucis contra Bogimilos* (graece et lat. in Jac. Gretseri comm. de Cruce. ii. 157), and in the *Orat. pro imaginum restitutione* (l. c. p. 549 ss.).

¹¹ See Strahl in the Kirchenh. Archiv. 1824, ii. 48, reprinted in his Beiträge zur russ. Kirchengeschichte, i. 252.

SECOND APPENDIX.

HISTORY OF THE REMAINING ORIENTAL CHURCHES.

§ 97.

The principal theological writers among the Jacobites of this age were Dionysius Bar-Salibi,¹ bishop of Amida, † 1171, and the historian Gregorius Abulpharagius, or Barhebraeus,² after 1264 *Maphrian*, or Primas Orientis, † 1286. Among the Nestorians, Ebedjesus,³ after 1290 Metropolitan of Soba (Nisibis), † 1318. Among the Armenians, in whose literary history the 12th century is a distinguished epoch,⁴ Nerses Klajetsi, *i. e.* the Klajenian (Catholicos from 1166, † 1173), takes a prominent place as a theologian and sacred orator.⁵

Although controversial questions did not disappear from their writings,⁶ yet common opposition to the Mohammedans, the com-

¹ From him we have an excellent commentary on the whole Bible. Besides this there are doctrinal treatises, *De Deo*, *De Trinitate*, etc. Apologies against Mohammedans, Jews, Nestorians, and Greeks; *Comm. in liturgiam s. Jacobi*, in defense against the Latins (published in *Renaudotii Liturg. Orient.* ii. 449. Cf. *Ejusd. Hist. Patriarch. Alexandrinorum*, p. 479).—Assemani *Bibl. Orient.* ii. 156.

² He is especially valuable as a historian (his *Chronicon Syriacum* edd. Bruns et Kirsch. Lips. 1789. 2 voll. 4. His Arabic *Historia compendiosa dynastiarum* ed. Ed. Pococke, Oxon. 1663. 2 voll. 4. is an abstract compiled from the first part of that Chronicle or State History). Besides, he was celebrated as a theologian, physician, and philosopher. Among his theological works should be mentioned the *Horreum mysteriorum*, a collection of explanations of Holy Scripture; *Candelabrum Sanctorum de fundamentis ecclesiasticis*, a doctrinal system; *Liber directionum s. epitome ecclesiasticorum canonum et legum saecularium* (given in Latin in *Ang. Maji Script. Vett. Nova Coll. x. ii. 1*). On his life and works, see Assemani, ii. 224. [Cf. Christian Remembrancer, Oct. 1855, for an account of G. H. Bernstein's projected edition (Berlin, 1847) of the Syriac Chronicle of Abulpharagius, and of the contents and value of this chronicle. Dr. Tullberg has an edition in preparation.]

³ With regard to his works (Commentaries on Scripture, doctrinal and polemical treatises, poems, homilies), see Assemani III. i. 325. There have been published, *Catalogus librorum omnium ecclesiasticorum* in Assemani III. i. 3; *Collectio canonum in Maji Script. Vett. Nova Coll. x. i. 1*; *Liber margaritae de veritate Christ. relig. in Majus X.* ii. 317.

⁴ See C. F. Neumann's *Gesch. der armen. Literatur* (Leipzig, 1836), s. 148.

⁵ Nerses Klajetsi und dessen Gebete, von D. G. Mohnike, in Illgen's *Zeitschr. f. d. hist. Theol.* I. ii. 67. Nersetis opera arm. et lat. ed. F. Cappelletti. Venet. S. Lazaro, 1833. 2 voll. 8.

⁶ Both sects naturally claimed to have kept unchanged the doctrine delivered by the Apostles. Thus Ignatius David, after 1222 Patriarch of the Jacobites, had stated in a letter to Said, the Nestorian deacon, that the Nestorians created a new sect. In answer to

mon oppression which they underwent, and the strict prohibition of all disputes on matters of faith by the Mohammedans, brought out from time to time a more friendly state of feeling toward each other than had ever been known in earlier ages.⁷

The Armenian kings, the only native Christian princes in the East, were compelled from their situation, threatened continually by the Mohammedans, to wish for a union of churches, by which the aid of powerful Christian kingdoms was held out in prospect.⁸ Thus the Armenians by turns declared their submission to the Roman See, and negotiated for union with the Greek Church;⁹

this, Jesujab, Nestorian bishop of Nisibis, composed an apology (Assemani III. i. 297), claiming that the name Nestorians was not given to the Orientals till a later period : *fides tamen et Apostolica religio antiquissima nobis est jam inde ab aevo Apostolorum, qui Orientem docuerunt, nec ab ullo unquam mutata. Idque ex eo probatur, quod nemo ex iis, qui christiana religione censemur, haeresim ullam in Oriente excogitavit.* Nestorius, he says, had only agreed with the Orientals in their doctrine until Cyril perverted it. Thus, too, says Ebedjesu lib. margar. in Majus X. ii., 354, who also adds that the Orientals were erroneously called Nestorians : *Nestorius eos sequutus est, non ipsi Nestorium.* On the other hand, the Jacobite, James, bishop of Tagrit, about 1230, in his *Liber Thesaurorum*, a doctrinal treatise (Assemani, ii. 240), states of his Church, *esse vere ac proprie domum Domini et tabernaculum Dei Jacob, quae nomen ex Jacob dicit.* Nam a Jacob quidem Patriarcha per lapidem et oleum in monte praesignata est, a Jacobo vero fratre Domini fundata et confirmata, a Jacobo demum Phasiltae (Baradai, see vol. 1, Div. 2, § 112) renovata et exornata.

⁷ Gregorius Abulpharagius seems to have attached no great importance to the difference of the parties, which were only at issue with regard to the union of the natures in Christ. In his *Candelabrum Sanctorum* (in Assemani, ii. 291), after taking notice of the absurdissimas haereses, quae naturas (Christi) corrumpunt, et christiano dogmati ethnicas opiniones miscent, he says : *Relique vero, quae hodie in mundo obtinent sectae (Latins, Greeks, Jacobites, Nestorians, and Monothelites), cum omnes de trinitate et incolumitate naturalium, ex quibus est Christus absque conversione et commissione, aequa bene sentiant, in nominibus unionis solum secum pugnant.* When the Jacobite Maphrian, Ignatius, died at Tripolis, in 1258, even the Latin clergy took part in the funeral rites (Assem. ii. 291). Gregorius Abulpharagius, the newly-elected Maphrian, in 1264, was solemnly welcomed to Bagdad by a deputation from the Nestorian Catholicos, and the Nestorians frequented his church, until the indignation of the Catholicos was roused, because the Jacobites called their Maphrian Catholicos, also, in their lists (*diptychs.*) (Assem. ii. 249). When Abulpharagius died at Maraga, in 1286, according to the account of his brother, the Nestorians, with their Catholicos at their head, the Armenians and Greeks, took part in his funeral, and celebrated his exequies alternately with the Jacobites (Assem. ii. 266).

⁸ Clem. Galani (a Theatine monk, who lived long as a missionary in Armenia), hist. *Armenia ecclesiastica et politica*, Colon. 1686.

⁹ In the year 1145 Armenian ambassadors came to the Pope, and the Western princes, who endeavored, by false representations, to gain consideration for themselves, and to flatter the Pope, Otto Frising. chron. lib. vii. c. 32.—In the year 1170, the Greek emperor, Manuel Comnenus, sent the philosopher Theorianus to Nerses, the Armenian patriarch, to effect a union of the Greek and Armenian Churches (Legatio Imp. Caesaris Manuelis Comneni ad Armenios, s. Theoriani cum Catholico disputatio ed. Leunelavius, Basil. 1578. To this also belong the letters of the Emperor and the Catholicos in *Maji Scriptt. Vett. Nova Coll. vi.* 314). A second mission of the same Theorianus followed in 1172

until the Armenian Church appears to have been brought into complete subjection to the Roman, in the year 1292, by means of King Hethum (Haiton) II.¹⁰ However, this union also was only the work of a party at court; it was regarded with aversion by the people, and brought no change into the doctrine and internal constitution of the Church. The Maronites, on the contrary, who had gone over to the Roman Church in 1182,¹¹ remained always faithful to her.

(the Acts are in Majus l. c. p. 338). At the Council of Rom-Kla (Concilium Tarsense 1179), the union, after being especially recommended by the remarkable speech of Narses of Lampron, archbishop of Tarsus (translated by C. F. Neumann in Illgen's Zeitschr. f. d. Hist. Theol. IV. ii. 123), was resolved on by the Armenians. However, the death of the Emperor Manuel, which ensued in 1180, and the disturbances which followed it, hindered the accomplishment of the design.—On the other hand, King Leo the Great desired to unite himself with the Roman empire and the Roman Church: he received from the Emperor Henry VI. the rank of king (Notices et extr. xi. 19); he was crowned by Conrad, archbishop of Mayence in 1199, he and his Catholicos engaged to bring the Armenian Church into subjection to the Pope, and he recognized his spiritual jurisdiction (Innocent. III. lib. ii. ep. 217-220, 252-256. Hurter's Innocenz III. i. 285).—Gregory IX. sent the pallium to the Catholicos (Raynald. 1239, no. 83). In the year 1240, Germanus II., patriarch of Constantinople, commenced a fresh correspondence from Nicaea with the Catholicos, which lasted till 1248, but remained without result (Spicilegium Rom. x. ii. 442).

¹⁰ He became a Franciscan, deposed the Catholicos Constantine II., and appointed Stephen IV., who summoned a Council at Sis in 1292. But its resolution to celebrate Easter on the same day with the Roman Church was not observed by the clergy (Galanus, p. 374; Saint Martin in the Biographie Univ. xix. 530). At the Synod of Sis, in the year 1307 (the acts are in Galanus, p. 426), the union was seemingly accepted by the Armenians.

¹¹ Compare vol. i. Div. 2, § 130. Willelmus Tyrensis Archiep. lib. xxii. c. 8 (in Bon-gars, p. 1022): *Interea dum Regnum pace, ut praediximus, gauderet temporali, natio quae-dam Syrorum, in Phoenice provincia circa juga Libani, juxta urbem Bibliensem habitans plurimam circa sui statum passa est mutationem. Nam cum per annos paene quingen-tos cujusdam Maronis haeresarchae errorem fuissent secuti, ita ut ab eo dicrentur Maronitae, et ab Ecclesia fidelium sequestrati, seorsum sacramenta conficerent sua, divina inspiratione ad cor redeuntes, languore deposito, ad Patriarcham Antiochenum Aimericum, qui tertius Latinorum nunc eidem praecest Ecclesiae, accesserunt: et abjurato errore, quo diu periculose nimis detenti fuerant, ad unitatem Ecclesiae catholicae reversi sunt, fidem orthodoxam suscipientes, parati Romanae Ecclesiae traditiones cum omni venera-tione amplecti et observare. Erat autem hujus populi turba non modica, sed quasi qua-druginta millium dicebatur excedere quantitatem, qui per Bibliensem, Botriensem et Tri-politanum episcopatus, juga Libani et montis devixa, ut praediximus, inhabitabant: erantque viri fortes, et in armis strenui, nostris, in majoribus negotiis, quae cum hostibus habe-bant frequentissime, valde utiles: unde et de eorum conversione ad fidei sinceritatem maxima nostris accessit laetitia. Maronis autem error et sequacium ejus est et fuit, sicut ex sexta Synodo legitur, quae contra eos collecta esse dinoscitur, et in qua damnationis sententiam pertulerunt, quod in Domino nostro Jesu Christo una tantum sit et fuerit ab initio et voluntas et operatio. Cui articulo ab Orthodoxorum Ecclesia reprobato multa alia perniciosa nimis, postquam a coetu fidelium segregati sunt, adjecerunt: super quibus omnibus ducti poenitudine, ad Ecclesiam, ut praediximus, redierunt catholicam, una cum Patriarcha suo et Episcopis nonnullis, qui eos sicut prius in impietate praecesserant, ita ad veritatem redeuntibus plium ducatum praestiterunt.*

The Nestorians and Jacobites behaved in a courteous and yielding manner toward the powerful Latins; they did not hesitate even to acknowledge the primacy of the Roman patriarch among bishops. However, some of their expressions in 1237 were misunderstood by the Dominicans in Jerusalem,¹² and, besides, the letters with which the Nestorian Vicarius Orientis *Rabban Ara*,¹³ and three Jacobite bishops, in the year 1247,¹⁴ answered

¹² The prior of the Dominicans in Jerusalem informed Gregory IX. (in Alberici chron. p. 562, and in Matthaeus Paris, p. 301) that the Maphrian of the Jacobites, with a great number of his clergy, came to Jerusalem at Easter 1237, and was there induced by him, ut obedientiam s. Romanae Ecclesiac promitteret et juraret, omnem haeresim pariter abjurando: et confessionem et confoederationem suam nobis tradidit literis chaldaicis et arabicis testimonium sempiternum: adhuc et habitum nostrum recepit in recessu. Similar promises, he says, were also obtained by him from the patriarchs of the Nestorians and Copts. Gregory IX. thereupon sent a letter of praise to the Maphrian (in d. neuen Beiträgen v. alten u. neuen theolog. Sachen, 1758, s. 147). This must have been the Maphrian Dionysius, of whom, however, Assemani, in the Bibl. Orient. ii 449, had nothing of the kind to record from Oriental sources. The Dominican was undoubtedly deceived by the Maphrian's recognition of the Roman primacy—by his developing his doctrine in an entirely different manner from the view which the Latins took of monophysitism—and by his making concessions while he was in Jerusalem, and thus in the power of the Latin Christians.

¹³ See Raynald. ann. 1247, nō. 32. He sent at the same time a Confession of Faith composed by the Archbishop of Nisibis, ibid no 43. Here, indeed, it is said: Maria virgo peperit perfectum Deum, et perfectum hominem, Filium unum, qui est Dominus Jesus: et haec unio non fuit accidentalis, possibilis separari, sed permanens et perpetua. But below . cum dicitur, *Maria peperit Deum*, existimabit forte insipiens, quod ipsa peperit aut sanctam Trinitatem, aut Patrem, aut Spiritum sanctum, nisi exponatur: *Deum Filium unitum*. Cum igitur indiget expositione, et Deus Filius unitus ipse sit Christus, sub uno vocabulo erit, cum dicimus: *Maria peperit Christum*; verbum unum breviter comprehendens divinitatem et humanitatem.

¹⁴ The first was that of the Patriarch Ignatius, in Raynald. ann. 1247, no. 36; the second of another Patriarch Ignatius, ibid. no. 39; the third of a Primate John, ibid. no. 41. Raynald could only pronounce them orthodox, because he did not find in them such monophysitism, as the ancient Catholic controversialists represent it, and which is quite different from the actual opinions of the monophysites. Compare in the first letter: Christus est perfectus Deus et perfectus homo, sine mixtione, sine confusione: et ipse est unus Deus, unus Christus, una persona, sicut dicit Athanasius et Cyril; *quod Deo Verbo est una natura incarnata* (see vol. i. Div. 2, § 88, note 3). Et propter hoc confitemur, quod Maria est mater Dei in veritate, quia ipsa peperit Deum incarnatum, qui natus est,—et passus est et mortuus secundum carnem, et resurrexit tertia die . et cum impletet divina, erat in veritate perfectus Deus et perfectus homo, et iterum cum operaretur humana, erat perfectus Deus et perfectus homo, *unus post unionem*. *Non recipimus igitur eos, qui confitentur dualitatem divisam unitatis, nec iterum eos, qui confitentur mixtionem et confusionem, sicut Eutyches excommunicatus*. In the second letter. Et ipse in veritate est perfectus Deus et perfectus homo, unus Christus *ex* duabus naturis, divina et humana. In the third: Una persona, una substantia *ex* duabus substantiis, non quod divinitas conversa sit in humanitatem, aut humanitas in divinitatem , nec quod composita sit ex iis duabus substantiis substantia tertia: sed est unita secundum normam unionis vitae, non accidentalis. *Et licet unio excludat dualitatem, tamen indicia duarum naturarum et proprietates earum permanent in ipso, et discernuntur solo intellectu*. Et non attribuimus miracula et opera magnifica divinitati abstractae ab humanitate, nec attribuimus naturalia, et opera infirma humanitati ab-

the invitation of Pope Innocent IV. to union, were misinterpreted by those who thought they contained promises of obedience to the Roman See.

stractae a divinitate: sed dicimus, quod fecit miracula ex virtute divinitatis, et gustavit passionem et mortem voluntariam, quia natura humanitatis: et ipse tamen unus Filius Dei et hominis. Compare the explanations of the ancient monophysites, vol. i. Div. 2, § 110, note 3.

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